

WARWICK TOWNSHIP

315 Clay Road
P.O. Box 308
Lititz, PA 17543-0308
(Lancaster County)

WARWICK TOWNSHIP BOARD OF SUPERVISORS

March 16, 2022

7:00 p.m.

WARWICK TOWNSHIP MUNICIPAL BUILDING

Chairman Kenneth Eshleman convened the March 16, 2022, meeting of the Warwick Township Board of Supervisors at 7:00 p.m. Those in attendance included Kenneth Eshleman, Chairman; Jeff Tennis, Vice-Chairman; Kenneth Kauffman, Jeremy Strathmeyer, and Kelly Gutshall. Also in attendance were Brian Harris, Township Manager; Pat Barrett, Assistant Township Manager; Chuck Haley, Township Engineer; Tom Zorbaugh, Zoning Officer; Jason Minnich, Roadmaster; Duane Ober, Warwick Emergency Management Coordinator; and Laura Knowles, the Lititz Record; Sam Stoltzfus, 143 Rothsville Station Road; Gary Redcay, 143 Rothsville Station Road; Mike Smith, Lititz Fire Company; Nelson Peters, 6 Pebble Creek Drive; Dale & Michael Keeney, Brunnerville Road; Todd Vaughn, David Miller/Associates; Steve Gergley, Harbor Engineering; and Randy Hess, 24 Windsor Lane.

PRESENTATION OF 2021 WESC ANNUAL REPORT – DUANE OBER – D. Ober highlighted information from his 2021 WESC Annual Report and the 2021 WESC Fire and EMS Statistics. He mentioned the hiring of Brett Fassnacht as his assistant, working two days a week assisting with administrative tasks as well as responding to fire calls to supplement the staffing of volunteers. Ober also discussed equipment purchases and upgrades.

CONSENT AGENDA – B. Harris stated that the 2021 audit is complete and Trout is on the April 6th agenda. He also noted that the Authority audit will begin in April. He stated that he attended a TOA site meeting last week with ELA and Abel, which was very productive. On a motion by J. Tennis and seconded by J. Strathmeyer, the Board unanimously approved the consent agenda.

CONSIDER THE PIERSON ROAD LOTS FINAL SUBDIVISION PLAN, PREPARED BY DAVID MILLER/ASSOCIATES DATED 01/07/2022

– B. Harris noted that Todd Vaughn from David Miller/Associates and Randy Hess were in attendance. Harris stated that this is a three lot subdivision off of Pierson Road. There are two existing lots that were reconfigured into three lots, roughly 16,000 square feet each. They are connecting to water and sewer along Pierson Road. At the Authority Board meeting, the Authority did approve the capacity request for three water EDU's and three sewer EDU's. There are two modifications to this plan that would need to be granted by the Board. One is for curbing and the other is for sidewalk, and then the conditional plan approval. T. Vaughn stated that the project is located on Pierson Road just east of the intersection of Owl Hill Road and Kissel Hill Road. The applicant is proposing to subdivide the two vacant lots into three lots and create three single family dwellings. As part of the project, they will be doing some road widening. There will be no curb or sidewalk which is a modification request because there is no drainage to tie into in the area. The applicant has gone through the reviews, recent as of today, getting the Authority's approval for capacity and design. The applicant is okay with the review letter they have. There is one comment regarding retaining walls. The applicant has asked that the retaining walls be part of the building permit package. K. Kauffman questioned a structure on the property, which Vaughn confirmed would be removed. Vaughn also reviewed the utilities for the project. K. Gutshall asked if all three dwellings would have walk-out basements, which Vaughn confirmed. She also asked how high the proposed retaining wall would be and if fencing would be required. T. Vaughn noted that the retaining wall is 9 feet at its highest. B. Harris asked the applicant if he is willing to grant a storm water easement on the east side of lot 1. R. Hess noted that he is agreeable to that request. Hess noted that the structures have not been designed yet, so the actual depth of the backyard is unknown at this point. He also stated that access for the storm water facilities in the rear to the north is challenging



but they do have control over the two existing properties to the west that does have a wide enough travel lane at the north end of the lot that can be utilized to get equipment in and out. K. Gutshall asked what subsurface is there, Hess noted that it is all shale. T. Vaughn stated geologic testing was done and they are putting sand in the bottom of the subsurface storm water facility rock bins to slow down the water because the shale is vertically bedded. K. Kauffman stated he would like to see the height of the retaining wall minimized if there is any way to do that. Kauffman also asked how this plan works with the development going in behind this site. B. Harris stated that there is a storm water conveyance at the rear of Warwick Crossing, which is why they wanted to have the storm water easement on the east side of lot 1 in case there would be any storm water improvements on Pierson. He also noted that the back yards at Warwick Crossing will have a swale feature. C. Haley stated that the second phase of Warwick Crossing is not recorded, but he confirms there is a 20 foot easement at the rear of the adjoining lots and there will be 70 feet between the proposed houses and the houses in Warwick Crossing. Haley asked if the trees to the north would be removed. R. Hess stated the trees will not be removed. Haley noted that the foot prints being proposed are similar to what is at the corner. K. Gutshall asked how surface water will be drained into the storm water facility. Vaughn stated that there is a yard inlet present and the runoff is picked up as it sheet flows to the front. Haley stated that between the houses, water is going to bypass the systems but everything else should be caught. There was a discussion on the slope of the lots and how it will be maintained. B. Harris noted that this plan did receive recommendation from the Planning Commission. K. Kauffman asked if there has been further discussion in regards to the sidewalk. B. Harris stated a fee in lieu of is typical in a case like this and in a case where it does not make sense for a sidewalk. The applicant is proposing the fee in lieu of for the sidewalk be roughly \$12,000 and the fee in lieu of for the traffic impact study \$1,050 which is the \$13,250 that was listed on the subdivision approval list. Harris also stated that a deferral note will be added in case the Township wants to add sidewalk in the future. C. Haley noted that Warwick Crossing provided some money to extend the sidewalk on the other side of Kissel Hill up to the Owl Hill intersection. Harris stated that he wanted to make sure that the motion reflects the approval of the two waivers and the conditional plan approval based on any of the outstanding items. On a motion by T. Tennis and seconded by K. Kauffman, the Board unanimously approved the final subdivision plan with the noted items to be taken care of and also approve the two modification requests for the sidewalks and curb as stated.

CONSIDER THE CEDAR RUN CONSTRUCTION FINAL LOT ADD-ON & LAND DEVELOPMENT PLAN, PREPARED BY HARBOR ENGINEERING, DATED 01/28/2022 –

B. Harris stated that this plan received recommendation from the Warwick Township Municipal Authority and the Planning Commission. Two variances were granted at the Zoning Meeting, one for the side yard setback for the open structure and reduced parking spaces. The applicant is requesting five different modifications, as well as the plan conditional approval. C. Haley stated that at the Planning Commission meeting, Bob Kornman asked the applicant to re-evaluate the landscaping along the rail trail. Haley noted that it appears the applicant has addressed this concern. Steve Gergley stated that the property is located at 143 Rothsville Station Road and Sam Stoltzfus is the owner of Cedar Run Construction which is a commercial framing contractor. A number of renovations have already been done to the building and the property is located on both sides of Rothsville Station Road. On the west side is a gravel area. The improvements that are being proposed are the demolition of the existing residence, connection of the structure to public sewer (already connected to public water), a 10,000 square foot shop addition to the rear, a three-sided building to the south side of the property, and associated paving around the structures. On the west side they are proposing cleaning up the gravel area to define one single access drive that will align with the access across the street and providing a green buffer along Rothsville Station Road and the rail trail. Another part of the plan is a small lot add-on from Binkley & Hurst to this property which enables Mr. Stoltzfus to come in under lot coverage. A subsurface stone bed is located between the two buildings and there is a small infiltration basin adjacent to the rail trail on the north side of the building. Currently there is a split rail fence along the rail trail on the west side and a small portion on the east side which transitions into a vinyl fence. The plan is to remove the vinyl fence, extend the split rail fence to the existing row of arborvitae, and then plant on both sides of the road to provide a screen. Initially they proposed an arborvitae screen and after the direction given from the Planning Commission to have a more naturalized screen with native plants, the applicant has adjusted the plantings to reflect that. Gergely stated that the Planning Commission did recommend the plan for approval. C. Haley stated that one of the comments from J. Minnich, Roadmaster, was about the discharge of the storm water onto Rothsville Station Road which has been addressed. The plan is to

discharge the storm water into the underground basin between the two units to eliminate the chance for overflow of that system. B. Harris asked if the existing basin the applicant acquired ties in to the storm water management and Gergely confirmed that the basin does not tie into the storm water management. The basin will not be modified. K. Eshelman asked about the demolition of an existing structure. Gergely explained that the existing single family house located on the property will be demolished. K. Kauffman asked what would be stored in the storage building. S. Stoltzfus stated that raw materials will be stored in that building. Kauffman's concern with the storage was with the truck turning plan which shows the truck going underneath the building. Gergely stated there is an overhang that will accommodate that area. K. Eshelman asked the applicant what they build and Stoltzfus stated they build wood framed wall panels for exterior and interior walls. S. Gergely reviewed the modifications being requested. The first modification is for the waiver of the preliminary plan based on the simplicity of the plan. A modification for improvements to existing streets which they have submitted a cost estimate for fee in lieu of was recommended for approval by ELA for approximately \$27,000 for widening of Rothsville Station Road. They are asking for a deferral of sidewalks along Rothsville Station Road and a waiver of curbing on site and then a fee in lieu of for sidewalks along Rothsville Station Road. Two storm water modifications are being requested. One is for pipe size and the other's the loading ratio for the storm water basin. On a motion by K. Kauffman and seconded by J. Strathmeyer, the Board unanimously approved the plan submission along with the waivers based on the ELA comments.

CONSIDER MOTION TO APPROVE THE PAYMENT OF BILLS – B. Harris reviewed the payment of bills and the comparison between this year and last year. On a motion by J. Tennis and seconded by J. Strathmeyer, the Board unanimously approved the payment of bills as submitted.

CONSIDER MOTION TO APPROVE THE TREASURER'S REPORT – There was a discussion on revenue and its timing along with the comparison to last year's revenue. The Board discussed tax revenue and earned income tax. Legal fees were also discussed. On a motion by K. Kauffman and seconded by K. Gutshall, the Board unanimously approved the Treasurer's Report as submitted.

APPOINT MARVIN STONER AS ALTERNATE SEO – B. Harris stated that the Township uses Len Spencer for their primary SEO. Marvin has a few municipalities in Lancaster that he represents and he came recommended by Len. On a motion by J. Tennis and seconded by K. Kauffman, the Board unanimously approved the appointment of Marvin Stoner as alternate SEO.

CONSIDER RESOLUTION 03-16-22-01 ESTABLISHING A POLICY FOR PROPERTY DISPOSITION – B. Harris stated that this resolution would authorize the staff to dispose of any equipment worth less than \$2,000. Items that are \$200 to \$2,000 typically can be put on Municibid. This would be done for anything that has exhausted its useful life. The important part of the resolution is the disposition of property form. This form will memorialize where and how equipment was disposed of, especially items that would not be on an equipment list. On a motion by K. Gutshall and seconded by J. Tennis, the Board unanimously approved Resolution 03-16-22-01 establishing a policy for property disposition.

CONSIDER AUTHORIZING FIRE POLICE ON MARCH 19, 2022 FROM NOON TO 5:00 P.M. FOR THE PENRYN FIRE COMPANY MUD SALE – D. Ober stated that fire police has been asked to assist at the Mud Sale. This was not one of the activities that was submitted for approval at the beginning of the year. This action needs to be approved so that the fire police are covered by insurance if anything were to happen. On a motion by J. Tennis and seconded by J. Strathmeyer, the Board unanimously approved the authorization of fire police for March 19, 2022 from noon to 5:00 p.m. for the Penryn Fire Company Mud Sale.

INVITATION TO W. LOGAN MYERS PARK DEDICATION ON APRIL 6, 2022 AT NOON – All are welcome to attend.

LETTER FROM VICTORIA WILSON – B. Harris stated that he and K. Gutshall met and liked the idea of doing a pollinator meadow in Saylor Park to honor Greg Wilson. K. Gutshall stated it would be a warm season wild flower

meadow. Kelly stated that Greg's wife would like more than anything to convert some lawn areas into meadow in Greg's memory. There are a couple of areas between Newport Road and Laurie Lane along Saylor Park that aren't used. There is a detention basin in the upper corner, so there are some areas that could be carved out there and make some meadow areas along that walk. There is lawn conversion grant that DCNR has available, so the plan is to apply to that and they will come out and look at the plan and if all looks good, we should be able to get the project funded. There is also plans to plant a white oak tree and have a small plaque placed with it.

PENNDOT LTAP NEWSLETTER – B. Harris stated that J. Minnich has agreed to convert a tar buggy to a hydroseeder. PennDot does a build a better mouse trap contest where they take look at municipal projects that are converted old equipment. The application is due May 6, 2022. Jason has been taking pictures and working hard on this contest.

LCATS ANNUAL MEETING INVITATION – This is a free dinner on Tuesday, March 29, 2022 at Enck's for all municipalities in Lancaster County. Deadline to sign up is Friday, March 18, 2022.

NOTIFICATION U.S. FISH & WILDLIFE SERVICE REGARDING THEIR PERMIT APPLICATION FOR FISH HABITAT AND STREAM BANK STABILIZATION ALONG LITITZ RUN AT MILLPORT CONSERVANCY – B. Harris stated this is a notification of the intent to submit a permit to DEP. This doesn't necessarily mean that we are getting funding for this but the intent is there for application. There will be an application submitted for the section of Lititz Run adjacent to the treatment plant, but we have not received that yet.

INVITATION TO ATTEND THE LANCASTER 2040: THINKING BEYOND BOUNDARIES SUMMIT – B. Harris stated that this is a summit put on by the Lancaster County Coalition for Smart Growth. It will be held Thursday, March 31, 2022. This is also a free event. Each municipality can send two elected officials for free. If anyone has a desire to attend this all day seminar let Brian know and he can sign you up.

EXECUTIVE SESSION - The Board went in to Executive Session to discuss personnel at 7:44 p.m. The Board reconvened at 8:15 p.m.

NEXT MEETING – Wednesday, April 6, 2022 at 7:00 a.m. via Zoom.

ADJOURNMENT – The meeting was adjourned at 8:15 p.m.

Respectfully submitted,



Brian Harris,
Township Manager