

WARWICK TOWNSHIP

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

WARWICK TOWNSHIP BOARD OF SUPERVISORS

November 16, 2022

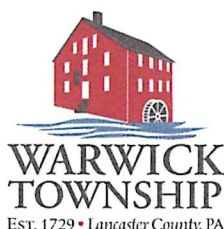
7:00 p.m.

Chairman, Ken Eshleman convened the November 16, 2022 meeting the Warwick Township Board of Supervisors at 7:00 p.m. In attendance were Supervisors Ken Eshleman, Jeff Tennis, Jeremy Strathmeyer, Kelly Gutshall, and Ken Kauffman. Also in attendance were Brian Harris, Township Manager; Chuck Haley, Township Engineer; Billy Clausser, Township Planner; Tom Zorbaugh, Zoning and Code Officer; Jason Minnich, Road Master; Jason Shaner, Impact Engineering Group; Christ & Katie Beiler; Laura Knowles, Lititz Record and Rhonda Adams, Court Reporter.

PUBLIC HEARING TO CONSIDER A CONDITIONAL USE APPLICATION FROM CHRIST G. BEILER. THE APPLICANT IS SEEKING CONDITIONAL USE APPROVAL UNDER SECTION 340-11.D.(1) AND SECTION 340-96 OF THE WARWICK TOWNSHIP ZONING ORDINANCE PERTAINING TO SINGLE-FAMILY DETACHED DWELLING IN THE AGRICULTURAL ZONE. THE APPLICANT PROPOSES TO CONSTRUCT A SECOND SINGLE-FAMILY DETACHED DWELLING ON HIS PROPERTY LOCATED AT 654 W. ORANGE STREET, LITITZ.

Brian Harris provided an overview of the proposed application before turning it over to Jason Shaner of Impact Engineering. Jason indicated that the applicant is proposing to construct a second single family dwelling located at 654 W. Orange Street. The property is located in the agricultural zoning district and there is less than 1 acre of earth disturbance proposed and less than 10,000 square feet of new impervious that is proposed. The new driveway will access Lime Rock Road. The existing driveway for the existing buildings access is West Orange Street through a neighboring property. J. Tennis asked if it is a flag lot, or is it just a right-of-way. K. Eshleman asked if the request for the 30 ft. barn is for now or later. The barn will be later. If it is the desire to subdivide the new home off, then the barn is too high which would require a variance from the Zoning Hearing Board. B. Harris stated that there was a note added to the plan that specifically reads that a variance would be required in the future from the Zoning Hearing Board for any barn height greater than 20 feet within Lot 1 prior to Lot 1 being subdivided and pre-approval is not guaranteed. K. Gutshall asked if the remainder of the property was being farmed. It was confirmed that the remainder of the property is being farmed and they do have soil conservation plan for that farming. On a motion by J. Tennis and seconded by K. Gutshall, the Board unanimously approved the closing of the public hearing.

On a motion by J. Tennis and seconded by K. Gutshall, the Board unanimously approved the conditional use application based on the testimony provided tonight as well as the ELA letter dated October 19, 2022. B. Harris stated that the Township will prepare a draft decision based on the testimony and it will be provided to the applicant and that decision will be formally approved at the December 21, 2022 Board of Supervisors meeting.



CONSENT AGENDA: B. Harris stated that there was an authority board meeting last night and they did take action on the High agreement which was positive news. He mentioned the Township is continuing to work on the IBEW contract. There will be a Planning Commission meeting on November 22, 2022 with a couple items on the agenda. The Rock Lititz master plan is coming back on the agenda for consideration for them to discuss as well as some other small items. K. Eshleman asked what the Owl Hill subdivision is. Harris stated that Owl Hill is Randy Hess' 13 lot subdivision that is not far from Appaloosa Drive, it used to be the Sam Seiber tract. Randy Hess was in front of the Planning Commission with a sketch plan 4-5 months ago. Harris also mentioned that the Township is getting a little bit of motion on the West Woods Drive project. They had hired D.H. Funk and they are looking to schedule a pre-construction meeting. K. Eshleman asked J. Minnich what the Township does with the old street signs that are replaced. Minnich stated that the Township currently has no way of saving the street signs so they take them to scrap steel. All the other regulatory signs like stops signs can have a new face put on them as long as the blanks are straight and clean. This cuts the cost in half by not buying new aluminum. Eshleman also asked about bench dedications on the rail trail. Minnich stated that a person would meet with Jason and they walk the trail and pick a spot for the placement of the bench. The Township will install the concrete pad and cover that cost. The person purchases the bench (options pre chosen by the Township) and have it shipped to the Township and the Township installs it. They usually run approximately \$800.00 for a bench. Minnich also stated the he would consider this the last spot on the rail trail for a bench to keep with the agriculture theme. He does not want benches every 50 feet and he cannot have them close to intersecting roads. K. Kauffman asked J. Minnich if the Township is ready for winter as far as supplies. Minnich stated that the Township is ready. They are calibrating and prepping the trucks. There was a brief discussion regarding the work at pump station 13. K. Kauffman mentioned the police report and how some of the figures were calculated. J. Strathmeyer explained how the calculations were done. On a motion by J. Tennis and seconded by K. Kauffman, the Board unanimously approved the consent agenda as presented.

CONSIDER RELEASE OF THE LETTER OF CREDIT FOR THE GONZALO & CALLI VEGA PROJECT: B. Harris stated the property is 651 East Millport Road. Based on ELA's review they are recommending the release of the remaining escrow account of \$2,500.00 conditioned on the driveway and roadside swale being approved by the Township Road Master and continue with efforts to establish any areas that need additional stabilization. C. Haley stated that for small lots they remind the property owner that they have to maintain their storm water management facilities and they are given a packet of information of how they should maintain them. On a motion by K. Kauffman and seconded by J. Tennis, the Board unanimously approved the release of the letter of credit for the Gonzalo & Calli Vega project based on the November 7, 2022 ELA letter.

CONSIDER RESOLUTION 11-16-22-01 FOR THE CHRIST BEILER SEWAGE FACILITIES PLANNING MODULE: B. Harris stated that this is the sewage facilities planning module that gets submitted as part of the land development process. This would be a resolution authorizing submission of the planning module for the project. On a motion by J. Tennis and seconded by J. Strathmeyer, the Board unanimously approved Resolution 11-16-22-01 for the Christ Beiler Sewage Facilities Planning Module.

CONSIDER RATIFYING RESOLUTION 11-02-22-03 FOR THE ROCK LITITZ RACP GRANT FUNDING: B. Harris stated that this is the RACP funding which is the Redevelopment Assistance Capital Program. This was addressed at the November 2, 2022 Board meeting which is why the resolution number is 11-02-22-03. The Board endorsed it however there were only 2 voting members on the Board that meeting so it was put on the agenda just to ratify the resolution now that we have a full board present tonight. On a

motion by K. Kauffman and seconded by J. Strathmeyer, the Board approved Resolution 112-02-22-03 for the Rock Lititz RACP grant funding. K. Gutshall abstained.

CONSIDER MOTION TO APPROVE THE CONDITIONAL USE DECISION FOR ROCK LITITZ PROPERTIES, L.P.:

B. Harris stated that Rock Lititz was in front of the Board on October 19, 2022 and in front of the Planning Commission on September 28, 2022. This was asking for the use for the educational facility. Based on the testimony that was presented, B. Clausser prepared a draft decision and that draft was provided to the applicant as well to make sure they were comfortable with it. The final decision is before the Board tonight for consideration. On a motion by K. Kauffman and seconded by J. Tennis the Board approved the conditional use decision for Rock Lititz Properties, L.P. – Case 2022-3. K. Gutshall abstained.

CONSIDER MOTION TO APPROVE THE PAYMENT OF BILLS: B. Harris stated the totals for the period are \$251,472.00. The general fund payables are \$106,000.00. The escrow fund had a handful of checks to developers totaling \$129,000.00. On a motion by J. Tennis and seconded by K. Kauffman, the Board unanimously approved the payment of bills as submitted. J. Strathmeyer asked about using Garman's Garage for truck repairs and if there is a garage in the Township we could be using. J. Minnich stated that the only other option in the past was Rohrer's. He stated that there is no garage in the Township that does large truck repairs.

CONSIDER MOTION TO APPROVE THE TREASURER'S REPORT: B. Harris stated that the Township did receive an \$83,000.00 transfer check in early November so the Township's transfer tax revenue is approximately \$100,000.00 over where it was anticipated to be. The same is happening with the local service tax with a budgeted amount of \$306,000.00 and we are up to almost \$340,000.00 which is part of the reason that the draft budget for next year reflects increases in ELS and the LST. So far we collected 97% of our revenue which is approximately \$5.2 million of our budgeted \$5.4 million. On the expense side we are at 89% of our expenditures and we anticipate ending the year with a surplus of \$250,000.00 to \$300,000.00 that would get added to our fund balance that we have. On a motion by J. Tennis and seconded by J. Strathmeyer, the Board unanimously approved the Treasurer's Report as submitted.

CONSIDER THE DRAFT OF THE 2023 FISCAL BUDGET: B. Harris stated that the staff presented the draft 2023 fiscal budget to the Board this evening. The Board would make a motion to authorize advertising the draft 2023 budget that would go on display for 20 days and the Township would take any comments and then take action at the December meeting. The revenues are approximately \$6.6 million. There are two major things that impacted the revenue from 2022 to 2023, one being the earned income tax and the other was including the Authority's bond debt on the revenue side and on the expenditure side of our general fund budget. That bond payment is not made by the Township, we do not receive any revenue or expenditure, however ultimately if the Authority would default on it the Township would be obligated to make the payment so the auditors wanted it included in the budget. Harris stated that it is a balanced budget and it is showing a transfer from our fund balance of \$109,000.00 to balance the budget. Some of the highlights are the Township continues to deposit money into the capital funds, showing approximately \$253,000.00 being transferred into our fire company fund for apparatus replacement in the future. We show a \$95,000.00 contribution to our capital fund as well a \$25,000.00 contribution to the storm water fund. On a motion by J. Tennis and seconded by K. Gutshall, the Board unanimously approved the advertising of the 2023 budget.

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T. Zorbaugh stated that the Township has been sending multiple enforcement notices to repeat offenders. They are all true enforcement violation notices. If the recipients do not appeal the Zoning Officers interpretation by a certain date, they go to Joselle Cleary at Morgan, Hallgren, Crosswell & Kane, P.C. and enforcement starts. There are 4 out currently and probably 2-3 more that are going out in the next 2-3 weeks. Zorbaugh stated that these are zoning and property maintenance violations. If they recipient appeals the property violations the Board of Supervisors would hear them and if they appeal the zoning violations it will go to the Zoning Hearing Board. Two of the notices only had 5 days to appeal to the Supervisors. Zorbaugh also mentioned his upcoming meeting with the new owner of the Lititz Mobile Home Park. The new owner wants to get the park cleaned up.

NEXT MEETING: Wednesday, December 7, 2022 at 7:00 a.m. (via Zoom)

ADJOURNMENT: On a motion by J. Strathmeyer, the meeting was adjourned at 7:44 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to be 'Brian Harris', written over a horizontal line.

Brian Harris
Township Manager