

**WARWICK TOWNSHIP BOARD OF SUPERVISORS**  
**FEBRUARY 15, 2023**  
**7:00 p.m.**  
**WARWICK TOWNSHIP MUNICIPAL BUILDING**

Chairman, Ken Eshleman convened the February 15, 2023 meeting of the Warwick Township Board of Supervisors at 7:00 p.m. In attendance were Supervisors Ken Eshleman, Ken Kauffman, Jeff Tennis, Kelly Gutshall, and Jeremy Strathmeyer. Also in attendance was Brian Harris, Township Manager; Tom Zorbaugh, Zoning and Code Officer; Billy Clauser, Planner; Chuck Haley, Township Engineer; Chris Vernarchick, RGS Associates; Ben Craddock, Lancaster Civil; Sue Verdegem, United Zion; Andrew Adams, Diehm & Sons, Inc.; Allan Blank, Court Reporter; Laura Knowles, Lititz Record Express, and Chris Schwab, Transportation Resource Group.

**PUBLIC HEARING TO CONSIDER A CONDITIONAL USE APPLICATION FROM UNITED ZION RETIREMENT COMMUNITY SEEKING CONDITIONAL USE APPROVAL UNDER SECTION 340-15.D.(2) OF THE WARWICK TOWNSHIP ZONING ORDINANCE PERTAINING TO MEDICAL RESIDENTIAL CAMPUSES IN THE R-2 RESIDENTIAL ZONE. THE APPLICANT PROPOSES TO ADD 47 NEW INDEPENDENT LIVING APARTMENTS, AND ASSOCIATED PARKING ON THEIR PROPERTY LOCATED AT 722 FURNACE HILLS PIKE, LITITZ:**

B. Harris stated that anyone wishing to testify will need to be sworn in by Mr. Blank, the court reporter. Once the hearing is concluded and all the testimony has been taken the Board can entertain a motion to close the hearing and then at that point they can decide if they want to take any formal action regarding the project. Chris Vernarchick from RGS Associates and Sue Verdegem from United Zion are present representing the applicant. Chris Vernarchick, Sue Verdegem, Chris Schwab, Chuck Haley, Billy Clauser, and Brian Harris were all sworn in.

B. Harris stated that United Zion is present tonight for a conditional use application for the expansion of their campus, which in the R-2 zone is a conditional use. The applicant was in front of the Planning Commission in January where they did receive a favorable recommendation. The proposal is for 47 additional units on the campus. Included in the Board packet is an ELA letter dated January 17, 2023. Harris mentioned traffic impacts, contribution for the north tank for engineering, pedestrian movements internally and along Route 501, as well as the master plan were discussed at the Planning Commission meeting. In ELA's review letter they did indicate that the Township wanted to see a master plan since there has been expansions over the years. The Planning Commission was not adamant that it was necessary to see a master plan. Assuming the conditional use is granted they will be back in front of the Planning Commission for land development.

C. Vernarchick stated he is present on behalf of United Zion at 722 Furnace Hills Pike. The applicant is seeking the approval for an expansion of the campus as was described on the property for 47 independent living residential units for retirement use. The application was submitted on December 22, 2022 and contained a conditional use plan, architectural drawings, the project narrative which describes some of the property history and the proposed project, a conditional use letter that outlined the compliance with Section 340-82 for the medical residential campus and Section 340-131 for the conditional use application. A traffic assessment, a letter to Warwick Emergency Services Commission, the list of adjoining properties, and the conditional use application and fee were all provided. The property is a 12 acre site in the R-2 residential

zone. United Zion Retirement Community is more than 110 years old in Warwick Township that provides continuing care retirement services and is a medical residential campus on the property. The existing condition today is 59 skilled nursing beds, 27 personal care beds, 27 independent living apartments, and 27 independent living cottages for a total of 112 dwelling units. The property is served by public sewer and water connected out on the main property frontage on Route 501. There are 2 primary access points onto the property with both accessed off of Route 501. Route 501 is a state route and the driveways are permitted by PennDot. Stormwater management on the existing property is collected and managed through a series of various facilities across the site. In response for the demand for senior care in the Township, United Zion is proposing to construct an addition to the campus that would include 47 independent living apartments. Vernarchick reviewed the renderings of the campus. The structure that is proposed is a single building 4-story addition approximately 17,500 square feet per floor, totaling approximately 70,000 square feet. The building height will comply with the 60 foot maximum that the ordinance allows with a variable setback for anything over the 35 foot height. The building height is estimated to be about 55 feet 6 inches. The site plan maintains the existing access points off of Route 501 so there are not alterations as part of the plan. K. Kauffman asked what the height of the existing structure on the property is. S. Verdegem stated that the one building is 3 stories on one side and 2 stories on the other side and the Keystone addition is 2 stories, the Lexington and Green Hill buildings are 2 stories. Vernarchick stated that they are introducing parking and circulation that goes around the building so if you came in on the north entrance drive you would make an immediate right and go around the new expansion and then around the back of the campus. They are also proposing some additional parking on the property south west of that core project area. The proposed site plan will be less than the 60% maximum impervious coverage that the ordinance allows which as drawn is around 52%. Although detailed engineering has not been done at this time, they do anticipate a few underground detention facilities and possibly a surface detention facility as well to manage stormwater. They will also provide along the northern property line the required landscape buffer per the ordinance. As far as traffic goes, being a retirement community they didn't anticipate much traffic being generated. There was an analysis done and the assessment was provided with the application that demonstrated that the trip generation does not trigger the threshold per the ordinance for a formal traffic impact study. They did an analysis that took the entire campus that exists today with the proposed expansion and that still does not trigger the threshold for a traffic impact study. In the R-2 zone section 340-15.D(2) allows the medical residential use via the conditional use and this is why they are here tonight. The narrative that was supplied outlined and responded to the criteria and requirements of Section 340-82 for the medical residential campus sections A-0. The narrative also addressed the requirements of Section 340-131.A for the filing of a conditional use and a response to Section 340-131.B for the general criteria of a conditional use. They outlined in their narrative that they acknowledged that the Board may attach conditions if the project is approved for the conditional use and that the site plan provided is part of that application and approval. It was referenced that they did receive a review from the Township Engineer that was dated January 17, 2023 as part of the conditional use review. They believe, after communication with staff and the township engineer, that they can address the comments in that letter if they are fortunate enough to move forward with the land development process.

J. Strathmeyer asked if there has been any consideration to altering the traffic pattern in and out of the two entrances. Chris Schwab stated that they are not planning to make any changes to the circulation pattern that exists. Strathmeyer asked if it is right turn only coming out of the campus currently. Schwab confirmed that there are no turning restrictions at this time. Strathmeyer asked if there has been any consideration given to that. Schwab stated he did do the analysis assuming the additional 47 units and then they estimated for the existing 112 units and they did a level service analysis which revealed a level service C coming out and no need for turn lanes. They used PennDot volumes from Route 501. The peak hour generation is going to be less because it is senior housing. K. Gutshall asked about the required parking. C. Vernarchick stated that the required parking per the ordinance for the project at full build out would be 132 spaces. The plan as drawn would provide parking for 226 spaces based on the operations of United Zion with residents having assigned parking spots. S. Verdegem stated that there is an employee parking lot but the spaces are not assigned. There are visitor parking spaces near the entrances to the buildings. K. Eshleman asked where the 27 existing apartments are located. S. Verdegem stated that those apartments are scattered around the campus with 10 apartments in the Keystone addition, 2 on the first floor of the west wing of the skilled care building, and then the remaining units are in the Lexington building. K. Gutshall questioned the existing offset between the High access and the two United Zion entrances per the ordinance. She is questioning whether it meets the minimum offset. C. Schwab mentioned that the two existing accesses for United Zion are 330 feet apart. The plan is not to alter the entrances. K. Kauffman asked how they plan to address the turning radius for fire

equipment entering the campus. Vernarchick confirmed that they do not have a problem making those corners larger to accommodate fire apparatus. J. Tennis mentioned that as the campus expands in the future that there may be a need for a turning lane. He also mentioned that the potential access off of Newport Road in the future would be helpful. There was a discussion regarding accidents occurring in front of the campus on Route 501. K. Gutshall asked if there was existing sidewalk along Route 501. They discussed pedestrian access and the potential for staff of United Zion using public transportation walking up Route 501 from the bus stop. They also talked about the potential for being able to come through Plateau Village to avoid the pedestrian traffic on Route 501. K. Kauffman asked about the timing of the water tank project vs. the United Zion project. B. Harris stated that the Entech proposal for engineering and design should be approved within the next week, engineering being done in 2023, the project goes out to bid in Spring of 2024 and the tank may be online late 2024 or early 2025. S. Verdegem stated that they would like to officially start marketing in April 2023 and they will likely need to have deposits on 60%-70% of the units. They think that will take them at least 6 months and then they are looking at a 14 month construction. B. Harris mentioned that Entech did issue a letter on behalf of the authority indicating that there is adequate water capacity and sewer capacity, especially once pump station #13 is online. K. Kauffman noted that there have been water pressure issues and the proposed addition will be higher than the existing building. He asked that they keep that in mind and that they may need pumps and volume for fire suppression. Verdegem stated that there are pumps and water tanks in place now and they will determine if they are adequate for the addition. Vernarchick stated that there was an analysis done on the water system and there is a triplex system in place now. Independently United Zion could install another tank, as was recently done, for the new structure.

C. Haley referred to the comment regarding the Master Plan which was brought up at the Planning Commission. He stated that for the past 10-15 years small additions have been occurring without a Master Plan and they also want to be consistent with what has been done in other retirement communities within the Township in requiring that they do a Master Plan on the lands that they hold. He also mentioned participation with the Township on the tank and the water pressure for the site. A Master Plan would tell if you are going to relieve any of the traffic onto Newport. He also mentioned pedestrian circulation and the possibility of Red Rose Transit coming up to the campus.

K. Eshleman shared his concerns with curbing and pedestrian flow. B. Harris asked if tenants in Plateau Village will be phased out or not. S. Verdegem stated that United Zion has been purchasing units as people move out and want to sell their units and then renting them out. There was a lengthy discussion on how the circulation would work and where the access points make the most sense. B. Harris stated that the Board is to consider action on approving the conditional use application presented based on the testimony. He also stated that the Board has the ability to attach any other conditions that they see fit including the applicant complying with ELA's letter dated January 17, 2023. The Board will have to approve the decision once it is drafted.

On a motion by J. Tennis and seconded by K. Kauffman, the Board approved the closing of the hearing.

**CONSENT AGENDA:** B. Harris mentioned the reorganization minutes for January 3, 2023 are included. The minutes that are filed in our minute book for January 18, 2023 will not reflect the reorganization meeting as shown in your January 18 minutes. Harris stated that the Public Works laborer applications are due at the end of the month. The next Planning Commission meeting includes Owl Hill and Rock Litz Clair building on the agenda. The Joint Strategic Plan Kick-off Meeting was held. The next meeting for the "workgroup" is next week and the intention is to begin the public meetings in April. The logo is being finalized. The Public Works department finished the bike shed. The bikes are being ordered. Over the next 1-2 months the community map information will be to the Board as to what they want to include on that map which will go out to residents. On a motion by J. Strathmeyer and seconded by K. Gutshall, the Board unanimously approved the consent agenda as submitted.

**CONSIDER THE 619 W. LINCOLN AVENUE (ABNER & ARIANNA KING) FINAL SUBDIVISION & LAND DEVELOPMENT PLAN, PREPARED BY LANCASTER CIVIL ENGINEERING COMPANY, DATED 12/15/2022:** Ben Craddock from Lancaster Civil stated that he was before the Board in the fall for Abner King's property on West Lincoln Avenue. The property is 70 acres and he wants to subdivide off 2 acres. What is being presented tonight is very similar to what was presented for the conditional use with the main difference being that at the time Mr. King was thinking he was not

going to subdivide. Now he would like to subdivide so what is being presented is a subdivision plan. Craddock referred to the review letter from ELA dated January 5, 2023 and stated that Mr. King is prepared to meet all the requirements in that letter. The sewage planning module has been submitted to DEP and the well has been drilled and test results showed 50 gallons per minute with unmeasurable nitrates. They need to do the pump test and complete the hydrogeology study. B. Harris mentioned that the applicant did comply with the access agreement. The hydrogeology study will be a condition of approval identified in ELA's letter. B. Craddock stated that they did submit the HOP for the driveway and PennDOT said that they met the sight distance. One of the things that they mentioned was removal of all the obstacles within the right-of-way. Mr. King has two decorative stone pillars at the end of his driveway that are 2 feet in to the right-of-way. When Craddock called PennDOT they told him that they are looking at the deed and that existing driveway is on the deed so they have to make sure that the pillars are moved out of the way. Craddock called PennDOT back and mentioned that if he subdivided the property first and only gave them the deed for the 2 acre property and asked if that would be okay to which PennDOT confirmed that would be okay. The ELA letter does not say that the HOP has to be approved before it was recorded and Craddock wanted to confirm that is okay. C. Haley stated that the Township likes to see is that at least people submit an HOP and get comments back in case the comments that come back are going to change the plan. K. Gutshall asked if the roadside stand has size limitations on how big the structure can be. T. Zorbaugh stated there is a limit of 2000 square feet and if they were to go over that they would have to come back in for approval because that would be considered a commercial business. They would need to apply for a conditional use or a special exception. On a motion by J. Tennis and seconded by K. Gutshall, the Board unanimously approved the plan conditioned on the applicant satisfying all items identified in the January 5, 2023 ELA letter as well as the modification request from SALDO Section 285-11.A(1) - Plan Scale.

**CONSIDER THE RICHARD A. RHINIER REVISED FINAL PLAN, PREPARED BY DIEHM & SONS DATED 11/5/2022:** B. Harris stated that the applicant is extinguishing a lot line and adding a new lot line, creating a new lot and the lot off of New Haven will be the new lot created that does not meet the minimum lot size which the applicant did receive approval for. The plan also received recommendation from the Planning Commission. Andrew Adams from Diehm & Sons is representing the applicant. The applicant owns both properties, one located at 228 A Landis Valley Road and the other is 230 New Haven Drive. The applicant is reverting the lots to what they were years ago. The current property on Landis Valley Road is .5 acre and will be bringing that up to a resultant lot of 1.35 acres with the add on parcel that is .81 acres and they are taking what was the existing property on New Haven Drive from 1.09 acres down to the original acreage of .28 acres. There was some discussion on the property and who maintains it and the reasons for the original subdivision. On a motion by J. Tennis and seconded by K. Kauffman, the Board unanimously approved the final plan conditioned on satisfying the requirements of the November 16, 2022 ELA letter.

**CONSIDER MOTION TO APPROVE THE PAYMENT OF BILLS:** B. Harris stated that total bill list is \$689,463.00 with roughly \$623,000.00 from the general fund. There was a second payment to Northern Lancaster for \$377,000.00 and we made our payment to PMRS which is the municipal retirement system. We have a check for \$9,600.00 for CM High which is for the CPU signal controller that needed replaced at Millport Road and Route 501. Harris did mentioned that he anticipates the signal controller at the Peters Road intersection will need to be replaced in the near future based on an average life expectancy of 7 years for the controller. There was a check for \$43,000.00 to Awakened Properties, LLC which is actually the 30 Ridge Road property being developed with a single family home. K. Gutshall asked if the leaf and wood site is an annual agreement which B. Harris confirmed that it is renewed every January/February each year with a payment of approximately \$9,000.00 to the Airport Authority. On a motion by J. Tennis and seconded by J. Strathmeyer, the Board unanimously approved the payment of the bills as presented.

**CONSIDER MOTION TO APPROVE THE TREASURER'S REPORT:** B. Harris highlighted that the year-to-date revenue is approximately \$513,000.00 which is about \$125,000.00 higher than the previous year to date primarily due to our real estate transfer tax. EIT is up by approximately \$25,000.00. The zoning permit fee line item is substantial due primarily to Rock Lititz building 400. On the expense side year-to-date we are at \$1.26 million which prior year we were only at \$870,000.00. This is because of the second payment to Northern Lancaster and how the payments fell. The legal bills are in line with where Harris would like them to be. On a motion by J. Strathmeyer and seconded by J. Tennis, the Board unanimously approved the Treasurer's Report as submitted.

**CONSIDER MOTION AUTHORIZING THE TOWNSHIP SOLICITOR TO PROCEED WITH A CIVIL VIOLATION FOR PROPERTIES IN WARWICK TOWNSHIP:**

T. Zorbaugh gave an update on the Look Out Lane and Windwood properties. Zorbaugh stated that the 429 West Orange Street property, which was granted an extension, there have been more items added rather than removing. The Board needs to take action on this property. The second property that needs an action is 81 Laurie Lane. T. Zorbaugh stated that the 81 Laurie Lane is strictly a tree and weed/brush cutting issue that is going through the deck. The question is does the Township want to send that property to court and pay all the fees or should the Township hire a third party service to go out and cut and send the property owner a bill along with our fees. This would require a letter be sent to the property owner stating that if she doesn't respond by a determined time then the Township will send someone out to clean up. If there is no payment from the property owner then it would go to court and a lien would be placed on the property. T. Zorbaughs' recommendation is that the Township hire a firm to cut at 81 Laurie Lane or we send Township employees and the Orange Street property needs to be filed. Zorbaugh also mentioned that the Township was contacted about building retention walls and about permits for Walton Hill but the Township's response was no at this point until the plan is recorded. On a motion by K. Gutshall and seconded by J. Tennis, the Board unanimously approved the authorization for the Township Solicitor to proceed with filing for 429 W. Orange Street.

**CONSIDER REQUEST TO DESIGNATE EDGEWOOD DRIVE AS ONE WAY DURING THE THOROUGHbred TERRACE COMMUNITY YARD SALE ON 3/25/2023:**

On a motion by J. Strathmeyer and seconded by J. Tennis, the Board unanimously approved the request to designate Edgewood Drive as a one way during the Thoroughbred Terrace community yard sale on 3/25/2023.

**MOTION TO AMEND RESOLUTION 01-03-23-02 RESTATING JEFF TENNIS AS THE APPOINTED BOARD MEMBER TO THE LITITZ RECCENTER:**

On a motion by J. Strathmeyer and seconded by K. Gutshall, the Board unanimously approved amending Resolution 01-03-23-02 restating Jeff Tennis as the appointed board member to the Lititz RecCenter.

**CONSIDER ENTRY FOR THE LTAP BUILD A BETTER MOUSETRAP PROGRAM:**

B. Harris stated that each year LTAP, which is the state local technical assistance program through PennDOT, has a build a better mousetrap program. The guys took the 1995 Crafcro and stripped it down and using the existing motor converted it into a hydroseeder. Harris is going to submit the application for recognition at the PSATS conference. A test area was done with success.

**STRENGTHENING COMMUNITY 2030:**

Harris provided the memorandum that was sent to the steering committee members with the kick-off of the Joint Strategic Plan. It is looking like they may need another member or two on the committee. L. Knowles will be putting something in the Lititz Record. The logo is in development now with the help of Listrak. Once the branding is done information will be going out. He stated that each municipality is tasked with picking 12 steering committee members.

**NEXT MEETING:** Wednesday, March 1, 2023 at 7:00 a.m. via Zoom

**ADJOURNMENT:** On a motion by J. Tennis and seconded by J. Strathmeyer, the Board unanimously approved the adjournment of the meeting.

Respectfully Submitted,

Brian Harris  
Township Manager