

**WARWICK TOWNSHIP BOARD OF SUPERVISORS
MEETING MINUTES**

**Warwick Township Municipal Office
April 19, 2017**

Chairman W. Logan Myers, III convened the April 19, 2017 meeting of the Board of Supervisors at 7:00 p.m. In attendance were Supervisors Herbert Flosdorf, Kenneth Eshleman, and C. David Kramer. Absent was Supervisor Michael Vigunas. Also in attendance were Daniel L. Zimmerman, Township Manager; Dean Saylor, Public Works Supervisor; Kevin Varner from Diehm & Sons, Inc.; Chris Sinz and Jon Nze, 970 Disston View Drive, Lititz; Laura Knowles from the Lititz Record; and Eric and Conner Velky, 981 Buckwalter Road, Lititz.

PUBLIC HEARING #1: APPLICANT, GIANT FOOD STORES, LLC IS SEEKING APPROVAL TO TRANSFER A RESTAURANT LIQUOR LICENSE FROM OUTSIDE THE MUNICIPALITY TO WITHIN THE MUNICIPALITY. APPLICANT INTENDS TO OPERATE A RESTAURANT AT 1008 LITITZ PIKE, LITITZ, PA. THE APPLICANT PLANS TO SELL BEER AND WINE TO GO: Ellen Freeman, an attorney with the Law Firm Flaherty and O'Hara, is representing Giant Foods, LLC. Also present is Josh Erb, Manager of Special Projects at Giant Foods, LLC who was sworn in. Freeman and Erb are requesting the Township approve a resolution approving the inter-municipal transfer of a restaurant liquor license from outside the Township to within it pursuant to the revised Liquor Code Title 47 Section 461 P 3. The license will be used at a new restaurant located within the existing Giant grocery store located at 1008 Lititz Pike. The Liquor Code permits the Applicant to approve the transfer of a liquor license from any municipality within Lancaster County to another municipality within the same county as long as the receiving municipality approves the resolution.

Freeman stated Giant Foods plans to remodel the current grocery store to include a café which would have seating for 30 patrons. There would be a wide range of food options for dine in or takeout. Food options would include sandwiches, a hot food bar, a soup and salad bar, and sushi options.

The request for the transfer of the liquor license is being made in order to sell beer for on premises consumption as well as to go and wine to go.

Freeman gave some background information on Giant Foods, LLC.

The proposed licensed area would be located where the deli area is currently located. This is the only area where liquor will be allowed. The hours of operation would be Monday through Saturday 7:00 am to 10:00 pm and Sunday 9:00 am through 10:00 pm. There will be a dedicated restaurant manager for this licensed area that will be certified through the Pennsylvania Bureau of Liquor Control Enforcement Developed Responsible Alcohol Management Program. Giant has a 100% carding policy. There will be a self-imposed two beer limit for on premises consumption. Consumers must purchase a meal and dine in to consume any beer on the premises. All beer and wine purchases must be made at the designated cash register in the licensed area only. The restaurant will have security cameras. The restaurant will be a non-smoking area.

Erb stated if the project is approved construction would be begin tentatively in June 2017 and would tentatively be open and running in late August of 2017. The licensed area in the store must be demarked from the actual grocery store with a series of permanent fixtures or bollards that are four feet high and no further than 10 feet apart. When the restaurant is not open the cold doors will be locked with individual locks and the licensed area will be gated off. The process involved in the 100% carding policy is as follows: the patron's driver's license is scanned through a card reader which will show the age and detect if the license is fraudulent. The patron's birthdate is entered into the data system in the register. If the birthdate is not entered into the register you will not be able to proceed with the transaction. Finally, the license is examined to make sure everything looks like it should. Forms of ID that are accepted are driver's licenses, a state issued ID, passport, and military ID. The Board's questions were answered to their satisfaction.

On a motion by Flosdorf, seconded by Eshleman, the Board unanimously voted to close the hearing.

PUBLIC HEARING #2: APPLICANT, JOAN R. SINZ, IS SEEKING APPROVAL UNDER ARTICLE II SECTION 340-11.D.1 PERTAINING TO A SINGLE FAMILY DETACHED DWELLING WITHIN THE AGRICULTURAL ZONE DISTRICT. THE APPLICANT PROPOSES TO CREATE A TWO LOT SUBDIVISION ON A 46 ACRE PROPERTY LOCATED AT 970 DISSTON VIEW DRIVE: Kevin Varner from Diehm & Sons presented the request. The tract is 45 acres. A dwelling, guest house, four apartments and several outbuildings are located on the south portion of the property which is zoned Agricultural. It has on-lot sewer and water. A six acre subdivision is being proposed, splitting the farm by Disston View Drive. The farm is in the process of going through the procedure to be considered for Ag preservation.

As part of the subdivision, a conservation easement plan is proposed on the wooded portion of the proposed lot.

Varner stated conditional use was requested from the Zoning Hearing Board to have less than the two acre maximum required for a residential lot. In support of this the farm has three subdivision quotas as it exists now. The Applicant has agreed to utilize all three quotas for this subdivision which would equal the six acre lot.

Zimmerman stated the conditions from the Zoning Hearing Board and Planning Commission were: 1. To put a restriction that no further subdivision be allowed on the six acre lot. 2. The parent tract gives up all residential and subdivision rights that are extinguished with the utilization and creation of the six acre lot. 3. The parent tract must verify the existing septic fields. 4. The current Conservation Plan for the farm must be updated due to the transfer of acreage from the original Conservation Plan. These recommendations are supported by the Staff.

On a motion by Eshleman, seconded by Flosdorf, the Board unanimously voted to close the hearing.

APPROVAL OF MINUTES: On a motion by Kramer, seconded by Flosdorf, the Board unanimously approved the minutes from the March 1, 2017 and March 15, 2017 meetings as submitted.

TREASURER'S REPORT: On a motion by Flosdorf, seconded by Kramer, the Board unanimously approved the Treasurer's report.

PAYMENT OF BILLS: On a motion by Flosdorf, seconded by Kramer, the Board unanimously approved Payment of the Bills.

MANAGER'S REPORT: Joint Meeting: The next meeting is Thursday, April 27th at 7:00 pm at Lititz Borough; see attached agenda.

501 Project: Prep work will be done from Wynfield to Brubaker Road. The installation of curbing and storm water work will be done this year by PennDOT and the final overlay will be done in the spring of 2018.

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Strategic Plan: The next meeting is April 20th at 7:30 am at Rock Lititz at the Pod 2 building. The topic will be Economic Development.

2016 Budget: The audit will be presented in May.

TAX COLLECTOR'S REPORT: On a motion by Kramer, seconded by Eshleman, the Board unanimously approved the Tax Collector's report.

PUBLIC WORKS REPORT: Saylor stated there were nine winter events that required salting.

Storm water work will begin on Tollgate Road next week.

There have been three violations from the leaf and wood site with the new key fob system. Over 2,000 residents have applied for the key fob.

POLICE DEPARTMENT REPORT: See attached report.

On a motion by Eshleman, seconded by Flosdorf, the Board unanimously approved the Police Department Report.

WESC/EMC REPORT: See attached report.

ROTHSVILLE FIRE COMPANY: See attached report.

CONSIDER CONDITIONAL USE DECISION FOR GLEN & CHARLENE REIFF: On a motion by Flosdorf, seconded by Eshleman, the Board unanimously approved the Conditional Use Decision for Glen & Charlene Reiff.

CONSIDER CONDITIONAL USE DECISION FOR ELI GLICK: On a motion by Kramer, seconded by Flosdorf, the Board unanimously approved the Conditional Use Decision for Eli Glick.

CONSIDER AUTHORIZING THE SALE OF TDR'S FOR THE ROCK LITITZ HOTEL PROJECT: Zimmerman stated this money is used to preserve other farms. The request is for 18 TDR's which are required for their plan approval process. Staff's recommendation would be to authorize advertisement for the sale.

On a motion by Eshleman, seconded by Flosdorf, the Board unanimously authorized the sale of TDR's for the Rock Lititz Hotel project.

CONSIDER PROPOSAL FROM PENN TOWNSHIP ON TRUCK RESTRICTION ON MEMORIAL ROAD: Zimmerman stated this had been discussed four to five years ago. The road is split approximately in half by the two Townships. Penn Township did a feasibility study and Memorial Road meets all the criteria. Zimmerman stated if the study is accepted by the Board, within 30 days the road can be posted with truck restriction signs.

On a motion by Flosdorf, seconded by Eshleman, the Board unanimously accepted the proposal from Penn Township to restrict truck traffic on Memorial Road.

CONSIDER RESOLUTION 04-19-17-01 APPROVING TRANSFER OF LIQUOR LICENSE NO. R-16041: On a motion by Flosdorf, seconded by Eshleman, the Board unanimously approved Resolution 04-19-17-01 approving the transfer of Liquor License No. R-16041.

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CONSIDER REQUEST BY JOHNSON & JOHNSON TO HOST 22ND ANNUAL FRESHBURST 5 MILE RUN ON JULY 8, 2017: On a motion by Eshleman, seconded by Kramer, the Board unanimously approved the request by Johnson & Johnson to host the 22nd annual Freshburst 5 mile run on July 8, 2017.

ACKNOWLEDGE LANCASTER BIKE CLUB COVERED BRIDGE METRIC BIKE RIDE ON AUGUST 20, 2017: On a motion by Kramer, seconded by Eshleman, the Board unanimously approved the Lancaster Bike Club Covered Bridge Metric Bike Ride on August 20, 2017 with the understanding that non-permanent markings will be used on the roads.

ADJOURNMENT: With no other business to come before the Board, the meeting was adjourned at 8:08 pm.

Respectfully submitted,

Daniel L. Zimmerman
Township Manager