

WARWICK TOWNSHIP BOARD OF SUPERVISORS

Meeting Minutes

September 18, 2019

W. Logan Myers, III, Chairman, convened the September 18, 2019 Warwick Township Board of Supervisors meeting at 7:00 p.m. In attendance were Supervisors Kenneth Eshleman, Herbert Flosdorf, Logan Myers, and Michael Vigunas. Also in attendance were Daniel Zimmerman, Township Manager; Joyce Gerhart from RGS Associates; Chief Dave Steffen, NLCRPD; Marianne and Richard Sullivan 332 English Ivy Drive, Lititz; Michael Leeking 1250 E. Newport Road, Lititz; Sharon and Mark Snyder 331 English Ivy Drive, Lititz; James Windham 123 Oxford Drive, Lititz; Michelle Bingham and Denise Freeman 603 Woodcrest Avenue, Lititz; Randy Dautrich from Dautrich Engineering; Laura Knowles from the Lititz Record; Craig Hasson 952 Log Cabin Road, Leola; Wade Hartz 1015 Log Cabin Road, Leola; and Lee Moyer.

PUBLIC HEARING:

CONSIDER CONDITIONAL USE APPLICATION UNDER SECTION 340-59 OF THE WARWICK TOWNSHIP ZONING ORDINANCE PERTAINING TO CLUSTER DEVELOPMENT IN THE R-1 RESIDENTIAL ZONE. THE APPLICANT PROPOSES DEVELOPMENT OF 31 ACRES ON A TRACT LOCATED ON THE EAST SIDE OF KISSEL HILL ROAD AND FUTURE SIXTH STREET. CASE 2019-3: Joyce Gerhart with RGS Associates was present to discuss the property known as the Siegrist Tract and the future development Warwick Crossing. The property is being developed by the same developer as Lititz Reserve who has been very involved with the Sixth Street master corridor plan. The property, including the Siegrist Farmstead, is slightly over 41 acres. 10 acres is proposed to be preserved in the farmstead and 18.4 acres, including the 10 acres, will be restricted open space. The property is located in the R-1 Zoning District and the proposal is for it to be developed utilizing the Cluster Ordinance provisions. The homes that are proposed are a mixture of single family and duplexes. There will be 53 single family and 38 duplexes. The minimum lot areas for the duplexes are approximately 3,100 square feet and the minimum lot areas for the single family is approximately 8,400 square feet. A landscape buffer is proposed along Sixth Street which will emulate the landscape buffer that is along Sixth Street on the Lititz Reserve side. A landscape buffer is also proposed along the library property. Road improvements that are tied to Warwick Crossing include the construction of Sixth Street from the relocated Pierson Road to Sixth Street as well as the dedication of the right-of-way for relocating Pierson Road. A sidewalk network is proposed internally within the community on both sides of the street. Sidewalks are also proposed to make the connection from the boulevard to where the sidewalk ends at the library as well as along the frontage of Kissel Hill. In addition, sidewalk is proposed from the intersection of the relocated Pierson Road on the west side and along the frontage of the lots on the east side of Pierson Road. J. Gerhart noted that the Planning Commission made a recommendation that possibly instead of the one large lot in the southwest corner that there potentially be placed an eyebrow to split the lot. This layout would actually provide one more unit.

J. Gerhart reviewed the General Criteria for the Conditional Use under Section 340-131.B. The Board had questions regarding Question #3 and parking which were answered to their satisfaction.

J. Gerhart provided the Board with architectural drawings of the style of the homes that are proposed to be built. The development will have its own HOA.

With no other questions from the Board, the hearing was then open for questions from the public. Marianne Sullivan had a question regarding safe transportation to the trail system.

Sharon Snyder questioned if the development could have a community space similar to that of Lititz Reserve.

A Lititz Reserve Resident was concerned about the open space and preservation and what provisions are being made to ensure the integrity of these areas is kept.

On a motion by M. Vigunas, seconded by H. Flosdorf, the Board unanimously voted to close the hearing.

APPROVAL OF MINUTES: On a motion by H. Flosdorf, seconded by K. Eshleman, the Board unanimously approved the August 21, 2019 minutes as submitted.

TREASURER'S REPORT: On a motion by H. Flosdorf, seconded by M. Vigunas, the Board unanimously approved the Treasurer's Report as submitted.

PAYMENT OF BILLS: On a motion by M. Vigunas, seconded by K. Eshleman, the Board unanimously approved the Payment of the Bills.

MANAGER'S REPORT: Contract Negotiations- D. Zimmerman stated a meeting is scheduled for October 1, 2019 in which hopefully a final offer will be put forward and accepted.

PA Hardwoods Development Council- D. Zimmerman stated it would be advisable to review the Township's Ordinance that deals with timber harvest to make sure it is compliant with current regulations.

National Fish and Wildlife Grant- The Township along with Lititz Borough was awarded a \$49,000 grant to update the comprehensive watershed plan.

Intersection of Brunnerville and Newport Road- The Township was successful in getting the project listed on the current 12 year program. The recommendation would be to get a preliminary engineering design in 2020.

Strategic Plan- The Economic and Housing meeting is September 19, 2019 at 7:30 a.m. at Lititz Boro.

WERT- The total cost for construction of the trail was under \$80,000 per mile, under the average cost for such improvements.

TAX COLLECTOR'S REPORT: On a motion by H. Flosdorf, seconded by K. Eshleman, the Board unanimously approved the Tax Collector's Report.

PUBLIC WORKS REPORT: D. Zimmerman stated all paving has been completed. Currently sub-base repair work is being done in preparation for next year's paving.

POLICE DEPARTMENT REPORT: D. Steffen stated the training of six new officers continues. He also stated currently underway is a review of the existing law for fireworks by the Legislature.

ZONING OFFICER'S REPORT: The Board reviewed the August 2019 report provided.

WESC/EMC REPORT: The Board reviewed the August 2019 report provided.

PENNDOT: The Board reviewed the letter from PennDOT regarding the collection of traffic data.

CONSIDER CONDITIONAL USE DECISION FOR THE BLACK BOX ESTATE LLC CASE 2019-2: D. Zimmerman stated the Decision has 10 conditions assigned to it which both the Applicant and legal counsel have reviewed.

On a motion by H. Flosdorf, seconded by K. Eshleman, the Board unanimously approved the Conditional Use Decision for the Black Box Estate LLC Case 2019-2 as drafted.

CONSIDER LAND DEVELOPMENT PLAN FOR 2058 MAIN STREET, PREPARED BY DAUTRICH ENGINEERING, DATED 6/27/2019: Randy Dautrich with Dautrich Engineering was present to review the plan before the Board. The plan is to demolish the existing house and carriage house and construct two apartment buildings each with two apartments. There will be a parking lot consisting of 12 spaces with handicapped parking. Water will sheet flow across the parking lot into an infiltration trench into a bed underneath the parking lot. Along the driveway there will be an infiltration trench to catch the runoff from the driveway. All the downspouts from the carriage house are tied directly into the infiltration bed. Approval has been received from PennDOT for the driveway as well as for the new utilities. Instead of placing post lights, bottle lights will be used as was discussed at the Planning Commission meeting. Wall lights will be placed at the doors.

The following waivers are being requested:

1. Section 285-11: Preliminary Plan Submission.
2. Section 402.C.3: Existing Features within 200 feet of the subject tract.
3. Section 285-28.C: Vehicular Parking Facilities, Curbs.
4. Section 285-27.P(2): Access Drives.

On a motion by H. Flosdorf, seconded by K. Eshleman, the Board unanimously approved the four waiver requests as well as the Land Development Plan in accordance with Staff's recommendations as per the cover letter dated September 13, 2019.

CONSIDER RESOLUTION 09-18-19-01 TO APPOINT A SUCCESSOR TO FILL VACANCY CREATED IN OFFICE OF SUPERVISOR FOR REMAINING 2019: The Solicitor inquired if there was anyone from the public who wished to make a comment. There was no one. The Solicitor then explained the proceeding for the filling of the vacancy.

On a motion by K. Eshleman, seconded by M. Vigunas, the Board unanimously approved Resolution 09-18-01 by appointing Jeffrey Tennis to fill the vacancy created in the Office of Supervisor for the remaining 2019.

REVIEW OF SCHEDULE FOR ROUNDABOUT PROJECT: D. Zimmerman stated one outstanding item is a conclusion of a right-of-way on one property. Utility relocation has just recently been completed. Receipt of a revised submittal relating to comments on the intersection of Sixth Street and Woodcrest from RGS Associates has just been received. The right-of-way acquisitions have been completed. The final HOP submittals to PennDOT will be forthcoming. Draft construction of the documents will occur in November with bidding occurring in December. If this timeline is followed, the notice of award then would occur in January. Approximate closure time for the project is 10 weeks. D. Zimmerman stated in meeting with Emergency Services and the School District the feedback was that it would be best if the intersection at Woodcrest Avenue and Sixth Street could be constructed over the summer months due to the impact on bussing. The construction at the intersection at Clay Road and Rothsville Road would then be done in the early spring or depending on the schedule of the awarded contractor in the fall. D. Zimmerman suggested that, Rick Brenneman who is an estimator, review the documents in the draft form prior to submitting to the contractors to make sure they are accurate. D. Zimmerman will get a price for this service. Maintenance agreements still need to be worked out as far as the landscaped areas.

CONSIDER APPOINTING TROUT EBERSOLE & GROFF AS AUDITORS FOR THE TOWNSHIP: D. Zimmerman stated the Township has used the same auditor for the past 20 years. Staff considered a number of things when considering changing auditors. There were six proposals that responded to the RFP. Each were given an opportunity to present their qualifications. Trout Ebersole & Groff were deemed the best prepared and had the depth of experience.

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The Solicitor then explained the process of this appointment.

On a motion by H. Flosdorf, seconded by K. Eshleman, the Board unanimously appointed Trout Ebersole & Groff as auditors for the Township subject to making the appointment official at the Board of Supervisors meeting on January 6, 2020.

EXECUTIVE SESSION: The Board will now hold an executive session to consult with the Township Solicitor concerning information or strategy in connection with land use litigation relating to the property located at 156 Church Road owned by John R. Gibbel. The Land Use Appeal pertaining to this matter is docketed to No. CI-18-04289 in the Court of Common Pleas of Lancaster County

ADJOURNMENT: With no other business to come before the Board, the meeting was adjourned at 9:06 p.m.

Respectfully submitted,

Daniel L. Zimmerman,
Township Manager