

WARWICK TOWNSHIP BOARD OF SUPERVISORS MINUTES
February 19, 2014

Chairman W. Logan Myers convened the February 19, 2014 meeting of the Board of Supervisors at 7:00 p.m. Present were Supervisors W. Logan Myers, C. David Kramer, Herbert Flosdorf, and Anthony Chivinski. Michael Vigunas was absent. In attendance were Township Manager Daniel Zimmerman, Roadmaster Dean Saylor, Frank Vargas, Gary Myer, James Husser, Barbara Warringer, Raymond Warringer, Dean Ziegler, Carole Ziegler, Brandon Ziegler, Gail Horrocks, Russ Horrocks, Don Erb, Cory Erb, Jen Shreiner, Chad Shreiner, Amy Martin, Karen Gentile, John Gentile, Dennis Jordan, Beth Jordan, Heather Oaks, and Ryan Oaks. Gary P. Klinger of the Lititz Record Express represented the press.

GUEST RECOGNITION: Don Erb, 12 Sassafra Circle, stated that he read an article about funding for the Lancaster County Drug Task Force. He inquired whether or not Warwick Township contributes to the task force. The Chairman explained that the Township has contributed the requested \$1 per person to the Lancaster County Drug Task Force up until a couple of years ago when the contribution was reduced to half the requested amount. The Township Manager explained that the County is requesting all 60 municipalities to contribute \$1 per person to fund the task force. The Board has inquired why the task force is not funded on a County level, rather than a municipal level, since not all municipalities have been contributing. They have recommended that the County Commissioner's assess a fee so all residents contribute. The Township Manager explained that the activity level in this region is not as active as other areas. He noted that the fundamental difference for the Board is that the task force should be funded on a County level rather than a municipal level. Erb recommended that the Board contribute the requested \$1 per person as requested so the drug task force stays in effect. Kramer stated that he advocates the County Commissioner's funding the drug task force and added that it should not be the responsibility of individual municipalities to fund a countywide problem. In addition, the statistics seem to support that the task force activity occurs in communities where the task force is not funded at all. He noted that he is in favor of countywide support of the drug task force. He recommended that Erb discuss the issue before the Board of Commissioner's as well. The Chairman concurred that the Township supports the activities of the drug task force.

**CONTINUATION OF A PUBLIC HEARING TO CONSIDER MODIFICATION OF CONDITIONS
APPLICATION FROM COUNTRY HOME CATERING, 112 FAIRLAND ROAD, LITITZ, PA. APPLICANT
IS SEEKING TO MODIFY CONDITIONS PREVIOUSLY IMPOSED BY THE BOARD UPON GRANTING
CONDITIONAL USE APPROVAL TO NEWPORT SQUARE. APPLICANT IS SEEKING A CHANGE OF USE
FOR EXISTING BARN TO A BAKERY /DELI AND BANQUET FACILITY.**

The Chairman announced the procedures to be followed for this evening's hearing. The Township Manager explained that this is a continuation from last month's public hearing.

Chris Venarchick, representing RGS Associates, was sworn in. He provided a site plan and stated that the project site is located on Lot 173B. He stated that the condominium community is located on Lot 173A, and the Newport Commons rental community is located on Lot 174 and Lot 35. He explained that the outstanding issues include a wall within the building setback that is due to the location of the barn, and the signs to be installed on the silo. He explained that the sign is within 12% of the overall size of the silo. He stated that the issue of conversion of historic structures relating to the use of the barn needs to be addressed as well. Venarchick explained that the building would have an address of East Newport Road.

Venarchick explained that Creekside Lane is a private road with access to North Oak Street. There is an existing access easement for the project site to use this roadway. The easement agreement indicates that Lot 174 and Lot 35 can annually assess Lot 173A & Lot 173B for the use of the access drive (25% each).

Venarchick stated that the Zoning Officer had indicated that the Applicant would be permitted to have temporary signs for weekend events (Friday - Sunday) to direct traffic to the site. He provided a diagram illustrating that small tractor trailers could access the site via the proposed right-in/right-out. He explained that bakery deliveries would be in box trucks once a day. For catering, 1-2 small tractor trailer delivers would be made per week. If a large tractor trailer deliver is needed, the Applicant has an agreement to deliver via Green Hills Grocer to avoid Creekside Lane. Venarchick noted that the Traffic Impact Study confirms that the roadway network has the capacity to accommodate this proposed use.

Venarchick detailed the incoming and outgoing delivery trips. He explained that incoming deliveries for the bakery will be in box trucks once a day between 4:00 a.m. and 11:00 a.m. Monday through Friday. For catering, 1-2 small tractor trailer incoming deliveries are anticipated per week. Both the bakery and catering deliveries will be directed to use the right-in/right-out for small tractor trailers. Outgoing deliveries will leave the site at 5:00 a.m. and 7:00 a.m., returning at 2:00 p.m. and 7:00 p.m. These trips will be made with a full size cargo van. For catering, a box truck with trailer is anticipated to leave the site 1-2 times per week, primarily on weekends. Bakery wholesales will occur primarily twice per week to one customer with pick-up around 11:00 a.m. These trips are will be made with a minivan.

Venarchick stated that banquets will primarily begin no earlier than 10:00 a.m. for a noon wedding and not exceed 10:00 p.m. in the evenings for a 4:00 p.m. wedding. Catered breakfast events for various groups will be scheduled no earlier than 6:00 a.m.

Kramer questioned whether deliveries would be provided through the right-in/right-out. Venarchick stated that large tractor trailers would deliver off-site with smaller tractor trailers using the right-in/right-out. He added that box trucks and minivans could be encouraged to use this access point, but could also use Creekside Lane. Kramer requested that the Applicant consider all deliveries via the right-in/right-out.

Brandon Ziegler (Applicant) was sworn in. Ziegler stated that tractor trailers would not use Creekside Lane. Flosdorf asked if the Applicant would agree to a restriction that vehicles with two axles may use Creekside Lane, and any vehicle larger than two axles must use the right-in/right-out. Ziegler stated that he would be agreeable to the condition.

Venarchick explained that the proposal is for a bakery / deli and banquet facility. The bakery / deli would be on the first floor and the banquet facility would be on the second floor. He added that parking would be provided on-site and via shared parking arrangements. The Township Manager explained that the tract was approved with a Village Overlay zone which is why commercial operations are located within the development. He added that the intent was to renovate the existing barn for limited commercial use as part of the overall site proposal. Venarchick stated that the planning for the development began in 1998 and this is the final tract that was part of the project.

The Chairman inquired whether anyone present wishes to comment on the proposal.

James Husser, 605 North Oak Street, stated that he is President of the Pickwyck Condominium Homeowner's Association. Husser was sworn in. He explained that the Association has concerns with the sidewalk easement and shared access as it relates to the condominium association on Lot 173A. He noted that they began talks with the Applicant regarding these uses and they hope to come to a resolution.

Jennifer Shreiner, 625 Creekside Lane, asked how the Applicant will ensure snow removal so that all of the parking spaces on Lot 173B are available. She explained that they currently pay for snow removal and property maintenance, as well as insurance coverage. Venarchick stated that the Applicant intends to maintain the property. Shreiner inquired who would pay the expense. Husser explained that these are the issues that need to be discussed and addressed with the Applicant. Ziegler stated that they would be agreeable to removing snow from the site and they have no problem working with the Association to resolve the issues as soon as possible. The Chairman explained that these specific issues are not required to be addressed as part of this hearing procedure.

On a motion by Chivinski, seconded by Kramer, the Board voted unanimously to close the public hearing. The Chairman announced that the Board will render a decision within 30 days.

APPROVAL OF MINUTES: On a motion by Chivinski, seconded by Kramer, the Board unanimously approved the minutes of the January 6, and January 15, 2014 meetings as submitted.

TREASURER'S REPORT: The Board reviewed the Treasurer's Report. On a motion by Chivinski, seconded by Flosdorf, the Board voted unanimously to approve the Treasurer's Report as submitted.

PAYMENT OF BILLS: The Board reviewed the list of bills submitted for payment. On a motion by Chivinski, seconded by Kramer, the Board unanimously approved the payment of bills from the General Fund in the amount of \$210,980.72.

TOWNSHIP MANAGER'S REPORT: The Township Manager provided a status report on the Northern Lancaster County Regional Police Department (NLCRPD). He explained that the department is currently evaluating its pension fund broker.

The Township Manager provided a status report on snow plowing efforts to date. The Roadmaster submitted a report indicating that in 1993 the Township plowed 124 lane miles in 12-14 hours, and in 2013, 190 lane miles were plowed in 7 hours. In addition, during a typical snow storm, crews plow each lane at least 2 passes in order to clear the road to the curb line. This equates to 380 lanes mile plowed during each storm.

The Township Manager provided a status report on the Stormwater Ordinance Amendment. He noted that the final draft is anticipated for adoption by the Board in April.

The Board unanimously approved the Township Manager's Report.

TAX COLLECTOR'S REPORT: The Board reviewed the January, 2014 Tax Collector's report. The Board unanimously approved the Tax Collector's January, 2014 report.

PUBLIC WORKS DEPARTMENT REPORT: The Roadmaster presented a report that outlines the activities of the Public Works Department during January, 2014.

NORTHERN LANCASTER COUNTY REGIONAL POLICE DEPARTMENT REPORT: The Police Chief provided a report that outlines the activities of the Police Department during January, 2014. The Board unanimously approved the Police Department Report.

ZONING OFFICER'S REPORT: The Code and Zoning Officer provided a report that outlines the Zoning/Building permits issued in January, 2014. The report also outlines the case heard at the Zoning Hearing Board's January 14, 2014 meeting.

COMMUNICATIONS: The Board received a letter from the Township Solicitor advising that Matthew Hess has joined their firm and will represent municipal clients.

The Board received a copy of the January, 2014 edition of the PSATS News Bulletin publication.

CONSIDER REQUEST BY 814 LITITZ PIKE PROJECT FOR REDUCTION OF LETTER OF CREDIT: The Board reviewed the request. The (alternate) Township Engineer commented that they performed periodic inspections during construction and performed a final inspection on February 7, 2014. All the work included in the Opinion of Probable Cost has been satisfactorily completed and they recommend release of the Letter-of-credit in its entirety. On a motion by Flosdorf, seconded by Chivinski, the Board voted unanimously to release the Letter-of-credit for the 814 Project in its entirety.

CONSIDER RESOLUTION 02-19-14-01 AUTHORIZING ADVERTISEMENT FOR ROAD MATERIALS: The Board reviewed the Resolution. The resolution would provide for cooperative bidding on road materials by several municipalities, with Ephrata Township administering the program for 2014. On a motion by Chivinski, seconded by Flosdorf, the Board voted unanimously to enact Resolution 02-19-14-01.

CONSIDER RESOLUTION 02-19-14-02 AUTHORIZING ACCEPTANCE OF ADDITIONAL RIGHT-OF-WAY FOR MILLPORT ROAD: The Board reviewed the Resolution. The Resolution would accept additional right-of-way along West Millport Road as part of the Philip W. Eyster Estate Final Subdivision Plan. On a motion by Chivinski, seconded by Kramer, the Board voted unanimously to enact Resolution 02-19-14-02.

DISCUSS THE 2014 TRANSPORTATION PROGRAM: The Township Manager provided an update on several roadway projects. He explained that improvements are proposed along West Millport Road by providing a left-turn lane at the intersection of Buckwalter Road. This would be in conjunction with improvements being performed as part of the Traditions of America project.

The Township Manager explained that several high density developments have been built along East Newport Road and he would recommend the installation of curb and sidewalk along the roadway to provide pedestrian access to the businesses along the roadway. The curb and sidewalk could extend from the current proposal for Quail Ridge up to Orchard Road. The Township Manager explained that the affected property owners would receive a one-year notice of the proposed improvements. He noted that the Board would need to enact an Ordinance as part of the proposal.

The Township Manager explained that the potential exists for development on the remaining Siegrist farm. He explained that this would involve the extension of Sixth Street to SR 772. He stated that the Township could construct the roadway with financial assistance with the developer and Lancaster Evangelical Free Church. He requested consideration on split-sharing the costs for the design work with the Church and the landowner. The Board members authorized the Township Manager to discuss the design costs with the Church and landowner.

The Board is agreeable to the proposals.

CONSIDER MOTION ACCEPTING NATHAN FLOOD'S RESIGNATION FROM THE PLANNING COMMISSION, ACCEPTING KENNETH ESHLEMAN AS A REGULAR MEMBER OF THE PLANNING COMMISSION AND MARLENE TRUMP AS AN ELECTED AUDITOR TO COMPLETE THOMAS TRAYER'S TERM: The Board reviewed the resignation letter from Nathan Flood. On a motion by Chivinski, seconded by Flosdorf, the Board voted unanimously to accept Nathan Flood's resignation and accepting Kenneth Eshleman as a regular member of the Commission, and to appoint Marlene Trump as an elected auditor to completed the term of Thomas Trayer who moved from Warwick Township.

ACKNOWLEDGE NOTICE FROM WTMA CONCERNING DEVELOPMENT OF WELL #2 FOR THE ROTHSVILLE WATER SYSTEM: The Township Manager stated that the proposal is to withdraw up to 288,000 gallons per day as part of the public water supply.

CONSIDER BUCH MILL TRAFFIC SPEED STUDY: The Township Manager explained that Ephrata Township performed a speed study along Buch Mill Road since a majority of the roadway is in their jurisdiction. As a result of the study, the consultant, Rettew Associates recommends reducing the speed limit to 40 mph in accordance with PennDOT guidelines. On a motion by Chivinski, seconded by Kramer, the Board voted unanimously to reduce the speed limit on Buch Mill Road from 55 mph (unposted) to 40 mph as recommended by the study.

CONSIDER REQUEST BY LITITZ CHRISTIAN SCHOOL TO HOST ANNUAL LITITZ EAGLE RUN 5/3/2014: The Board reviewed the request. On a motion by Flosdorf, seconded by Chivinski, the Board voted unanimously to authorize the Lititz Christian School to host the Annual Lititz Eagle Run on May 3, 2014.

CONSIDER REQUEST BY THE LANCASTER ROTARY TO HOST RIDE FOR LITERACY 5/10/2014: The Board reviewed the request. On a motion by Chivinski, seconded by Kramer, the Board voted unanimously to authorize the Lancaster Rotary to host the Ride fo Literacy on May 10, 2014.

REQUEST FROM THOROUGHbred TERRACE IN ROTHSVILLE FOR EDGEWOOD DRIVE TO BE MADE ONE WAY ON SATURDAY, MARCH 29, 2014 FROM 6 A.M. -NOON FOR A COMMUNITY YARD SALE: The Board reviewed the request. The Township Manager explained that the event is being coordinated with the Police Department. On a motion by Chivinski, seconded by Flosdorf, the Board voted unanimously to authorize Edgewood Drive to be made one-way on Saturday, March 29, 2014 from 6:00 a.m. until noon for a community yard sale.

ADJOURNMENT: With no further business to come before the Board, the meeting was adjourned at 8:31 p.m.

Respectfully submitted,

Daniel L. Zimmerman
Township Manager