

## **WARWICK TOWNSHIP BOARD OF SUPERVISORS MINUTES**

**August 15, 2012**

Chairman W. Logan Myers convened the August 15, 2012 meeting of the Board of Supervisors at 7:00 p.m. Present were Supervisors W. Logan Myers, C. David Kramer, and Herbert Flosdorf. Anthony Chivinski and Michael Vigunas were absent. In attendance were Township Manager Daniel Zimmerman, Code & Zoning Officer Thomas Zorbaugh, Roadmaster Dean Saylor, Township Engineer Charles Hess, Jim Wenger, Caroline Hoffer, George Hennessy, Clyde Wenger, Reuben Wenger, Earl & Faye Martin, Dave Madary, Todd Miller, Shannon Mosser, Matthew Gokey, Mark Wenger, and Daniel Cicala. Gary P. Klinger of the Lititz Record Express and Laura Knowles of Lancaster Newspapers represented the press.

### **Public Hearing #1 - change zoning classification of an 1.743 acre tract of land located west of Lititz Pike, adjacent to Weis Market store, from present classification of R-3 Residential to Local Commercial Zone (LC).**

The Township Manager announced the procedures to be followed for this evening's hearings. He confirmed the posting and proof of publication for each hearing.

The Township Manager explained that the proposed rezoning requests were initiated by the Township. He stated that the process began approximately 2 years ago at the beginning of the economic recession. He explained that the Lititz/Warwick Joint Strategic plan recommends that the Borough and Township take a proactive stance on economic development. He added that during the recession, several businesses indicated that they intend to expand their business. At that time, the Board requested Township staff to review the proposals and determine whether the Township could provide assistance which would expand the economic base in the Township and provide jobs. He noted that two other expansion projects that were recommended under the previous Joint Strategic Plan included the Heart of Lancaster hospital and Target.

He explained that the current proposals include 3 separate properties, and a text amendment. He identified the properties for the benefit of those present. He noted that two projects propose expansion of existing businesses (W. Newport Road & Rothsville Station Road), and the property along Lititz Pike, which is an age-restricted development proposed two years ago, includes commercial uses.

The Township Manager explained that the 1.743 acre tract along SR 501 was the subject of previous rezoning requests and noted that the tract was previously zoned Community Commercial. The current proposal would accommodate a mix of housing and 2 office buildings, while providing for the expansion of the adjoining La Piazza restaurant and interconnection with the 814 project to the south of the site. He added that these proposals would also increase employment in the area and complement the joint strategic planning of the region, which includes completion of the Highlands Drive extension to the north. The Lancaster County Planning Commission reviewed the proposal and recommends approval since the request is in accordance with the Lancaster County Comprehensive Plan and Balanced Growth Plan, and also the proposal is consistent with the Lititz/Warwick Joint Strategic Plan. The Warwick Township Planning Commission also recommends approval of the rezoning petition since it is consistent with the Lititz/Warwick Joint Strategic Plan.

The Chairman inquired whether anyone present wishes to comment on the rezoning petition. No one indicated their desire to comment on the rezoning petition.

On a motion by Kramer, seconded by Kramer, the Board voted unanimously to close the public hearing.

**Public Hearing #2 - Resolution to consider proposed amendments to the 2006 Update to the Lititz/Warwick Joint Strategic Comprehensive Plan regarding the properties located at 36 W. Newport Road and to the rear of 133 Rothsville Station Road.**

The Township Manager explained that these amendments are proposed for the properties that are currently located outside of the Urban Growth Boundary. He explained that the amendment would apply to the developable land map that is part of the Joint Strategic Plan. He added that both the Lancaster County Planning Commission and Warwick Township Planning Commission reviewed the proposal and are agreeable to the amendment since the infrastructure in the affected areas can support the proposal; this includes public sewer and public water facilities, and transportation.

The Township Manager explained that the tract along 36 West Newport Road is proposed to be rezoned to Campus Industrial, which would include a requirement for TDRs. He noted that TDRs are used to preserve farms in Warwick Township.

The Chairman inquired whether anyone present wishes to comment on the amendment. No one indicated their desire to comment on the amendment.

The Township Solicitor noted that these amendments were also sent to adjoining municipalities and the Warwick School District, and the Township has not received any comments from these entities.

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

**Public Hearing #3 - change zoning classification of an 8.019 acre tract located to the rear of 133 Rothsville Station Road from present classification of Agricultural Zone (A) to Community Commercial (CC).**

The Township Manager explained that the Hurst and Hurst proposal is for an 8-acre expansion of the Community Commercial zone. He explained that this 8 acres is adjacent to an established business, and this proposal would provide for the business, which is a regional agricultural support industry, to grow and increase hiring. He noted that a building expansion on the property previously received a zoning Variance. He added that this expansion of the Community Commercial zone would encompass this building expansion. He indicated the location of the site for the benefit of those present. The Township Manager noted that a back-up well location is being developed in close proximity to the site. He added that the acreage is part of an overall tract containing approximately 32 acres that is split-zoned between Agricultural and Community Commercial.

The Township Manager explained that both the Lancaster County Planning Commission and Warwick Township Planning Commission reviewed the proposal and are agreeable to the rezoning petition since it is consistent with the Lititz/Warwick Joint Strategic Plan since agricultural

support businesses are encouraged in the Warwick Township region.

The Chairman inquired whether anyone present wishes to comment on the amendment. No one indicated their desire to comment on the amendment.

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

**Public Hearing #4 - change zoning classification of an 95.5 acre tract located on south side of W. Newport Road, known as 36 W. Newport Road, from present classification of Agricultural (A) Zone to Campus Industrial Zone (I-2), and to modify under certain circumstances and conditions the maximum permitted height in the Campus Industrial Zone.**

The Township Manager explained that the approximate 95.5 acre tract is proposed to be rezoned from Agricultural to Campus Industrial. He noted that the Campus Industrial zone provides for less-intensive industrial uses and provides for the protection of natural resources. He noted that the site includes a floodplain, a stream, and 2 power lines.

The Township Manager explained that this area of the Township is in close proximity to existing industrial uses. He added that the proposal is for three local businesses (Clair Global, Tait Towers, and Atomic Design) to expand their operation in this region. He noted that Township staff met with representatives of the firm approximately 2 years to discuss the proposal in conjunction with economic development. At that time the businesses were considering options to relocate to a larger area outside of the region. He stated that these firms currently employ 400-500 individuals, and the Township wanted to work with the firms so these jobs stay in this area.

The Township Manager explained that the firms created a Master Plan that included the 95.5 acre property, to ensure that the proposal would meet the Campus Industrial zone guidelines. He explained that the proposal would also include an amendment for building height. He noted that most of the Campus Industrial zone is located in the southern area of the Township in close proximity to the Airport; therefore, a height limit of 35' was established. This area in the northern portion of the Township is not subject to the same height restrictions and the amendment includes an increase of permitted height to 95', with only non-occupied space above 45'. This building height would allow for the construction of concert stages within a single building. The Township Manager noted that this would be for design purposes only, and would not include any provisions for a concert venue. The Township Manager explained that additional setback requirements, based on building height, would be included in the provisions. He noted that one option to be pursued is a service road from Wynfield Drive to reduce the impact to the Township roadways. He added that this Master Plan is on the agenda for this evening's meeting.

The Township Manager explained that both the Lancaster County Planning Commission and Warwick Township Planning Commission reviewed the proposal and are agreeable to the rezoning petition since it is consistent with the Lititz/Warwick Joint Strategic Plan in accordance with economic development provisions (including an established tax base and employment). In addition, the TDR provision of the Campus Industrial zone would provide for the continued preservation of other farms in the Township.

The Chairman inquired whether anyone present wishes to comment on the amendment. No one

indicated their desire to comment on the amendment.

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

**APPROVAL OF MINUTES:** The Board reviewed the meeting minutes. On a motion by Flosdorf, seconded by Kramer, the Board unanimously approved the minutes of the July 18, 2012 meeting as submitted.

**TREASURER'S REPORT:** The Board reviewed the Treasurer's Report. On a motion by Flosdorf, seconded by Kramer, 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 Kramer, seconded by Flosdorf, the Board unanimously approved the payment of bills from the General Fund in the amount of \$226,334.94.

**TOWNSHIP MANAGER'S REPORT:** The Township Manager provided a status report on the NLCRPD. He explained that the Police Commission recommended Conrad Siegel as the actuary. He explained that the study on combining the three pension plans is proceeding.

The Township Manager provided a status report on WESA. He explained that WESA is working on several initiatives. He stated that the subcommittee working on the Administrator position will be meeting to finalize the job description. He added that the SAFER grant committee is also formatting their Fall appeal, and several events are scheduled.

The Township Manager provided a status report on the MS4 Application. He explained that the MS4 permit application is currently being completed. He added that the MapShed model is anticipated in draft form by mid-September.

The Township Manager provided a status report on energy savings. He provided a chart showing overall reduction in energy consumption. He explained that the goal was exceeded by 15% and noted that overall savings averages \$16,000 per year.

The Township Manager provided a status report on ordinance updates. He stated that the Township is working to standardize ordinances with Clay and Penn Townships. He added that the parking ordinance will be the first to consider standardization.

The Board unanimously approved the Township Manager's Report.

**TAX COLLECTOR'S REPORT:** The Board reviewed the July, 2012 Tax Collector's report. On a motion by Flosdorf, seconded by Kramer, the Board unanimously approved the Tax Collector's July, 2012 report.

**PUBLIC WORKS DEPARTMENT REPORT:** The Roadmaster presented a report that outlines the activities of the Public Works Department during July, 2012. He explained that the new salt storage shed is up and all of the material has been relocated from the old salt storage shed along SR 772. He noted that the old shed could hold 400-500 tons of material, and the new shed holds 600-900 tons of material. He added that the Township uses 520 tons of material on average. The

Township Manager explained that settlement on the old salt shed property is scheduled for September 20, 2012. The Board unanimously approved the Public Works Department Report.

**NORTHERN LANCASTER COUNTY REGIONAL POLICE DEPARTMENT REPORT:** The Police Chief submitted a report that outlines the activities of the NLCRPD during July, 2012. On a motion by Flosdorf, seconded by Kramer, the Board unanimously approved the NLCRPD Report.

**ZONING OFFICER'S REPORT:** The Code and Zoning Officer presented a report that outlines the Zoning/Building permits issued in July, 2012. He also provided a report outlining the cases heard by the Zoning Hearing Board at their July 11, 2012 meeting. On a motion by Flosdorf, seconded by Kramer, the Board unanimously approved the Zoning Officer's Report.

**COMMUNICATIONS:** The Board received a letter from Severn Trent Environmental advising that the Lititz Sewer Authority is submitting an application to renew its NPDES permit.

The Board received a copy of the June-July 2012 edition of the PSATS NewsBulletin publication.

The Board received a letter from a resident requesting that the Township participate in the World Wildlife Fund (WWF) Earth Hour City Challenge. The Township Manager explained that the Township meets most of the criteria addressed by the WWF and he will send a letter to the resident.

The Board received an invitation to attend the 16<sup>th</sup> Annual Supervisors Summer Event sponsored by the Lancaster County Association of Township Supervisors.

**REVIEW OF SKETCH PLAN FOR ROCK LITITZ, PREPARED BY DERCK & EDSON, DATED 6/20/2012:** Jim Wenger, representing Derck & Edson, explained that Rock Lititz is a consortium that includes Tait Towers, Clair Global, and Atomic Design. Wenger noted that the proposal does not include a merger of any of the entities. He explained that these firms have been working together for the past few years to discuss the expansion of their respective businesses. He indicated the location of the businesses for the benefit of the Commission. He stated that the businesses discussed several options including using their existing land holdings, and relocating elsewhere in Lititz. The businesses have expanded their operations in other buildings and other locations; however, they are reviewing long term proposals for growth. He noted that this proposal includes the rezoning of the approximate 95-acre Wenger farm that adjoins the site. He stated that the site is bisected by a 200' PPL easement, and another 100' PPL easement extends through the site to the southwest. He stated that the site also contains approximately 22 acres of floodplain. He explained that these areas are the basis for the current layout of the site, as well as access to the site. He explained that primary access to the site would be from Newport Road and SR 501, and then to Toll Gate Road, then to a private access to the site. He explained that the proposal includes all private drives.

Wenger explained that the proposal includes several large buildings. Currently, staging is done at a large arena out of the area. The proposal would allow more operations to occur internally and create a central setup facility. He noted that the proposal does not include a rock concert facility. He noted that the proposal also includes a text amendment to allow a building up to 100' in height, similar to the provisions for the Warwick High School Auditorium. He added that this would allow for moving of equipment and scenery. In addition, other buildings would be allowed up to 45' in height, rather than 35' as currently allowed under the ordinance.

Wenger stated that stormwater management would be handled through porous paving which provides for infiltration. The roof drains would be conveyed to a large detention facility. The buildings would be served by public sewer and public water. He noted that a traffic study is currently underway. The proposal also includes shared parking areas.

Wenger provided 3D renderings of the proposed buildings in relation to other buildings in the area. Wenger stated that the buildings shown are proposed over a 20-year time frame. He noted that the size of the initial buildings is still being discussed with the entities. Most of the area would be for warehousing and storage.

The Township Manager explained that the long term proposal for traffic includes center turn lanes on SR 501 to Wynfield Drive. He noted that this project is still on the County's traffic plan. The Township Manager explained that the proposal could employ 500 additional employees over 20 years, mostly in manufacturing and fabricating. He added that the majority of their truck traffic occurs at night. He noted that the proposal will be discussed with representatives of PennDOT. He added that there are no proposed increase in box truck deliveries (Fedex, UPS, etc.). The plan also allows the expansion of parking for employees. Wenger stated that traffic studies would be updated during each phase to determine accurate traffic figures.

The Township Manager explained that the proposal would include improvements along the Santo Domingo stream within the site.

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

A resident of the Staffordshire development stated that several properties within the development have flooding issues and he expressed concern that stormwater management and the floodplain could be adversely affected by the proposal. He added that most of the water that causes flooding flows from the direction of Grace Church and the farm fields. The Code and Zoning Officer explained that water comes from a watershed to the west of the development. He explained that the Township will review the stormwater design as part of the plan review process.

The Board is agreeable to the Sketch Plan as discussed.

**CONSIDER RESOLUTION 08-15-12-01 ACCEPTING DEDICATION OF ADDITIONAL RIGHT-OF-WAY FOR THE SIXTH STREET DEDICATION:** The Board reviewed the Resolution. On a motion by Flosdorf, seconded by Kramer, the Board voted unanimously to adopt Resolution 08-15-12-01 as drafted.

**CONSIDER RESOLUTION 08-15-12-02 AUTHORIZING AN AMENDMENT TO THE LITITZ/WARWICK JOINT STRATEGIC PLAN TO REVISE THE FUTURE LAND USE MAP CLASSIFICATIONS FOR TWO TRACTS OF LAND AND REVISE THE DEVELOPABLE LAND ANALYSIS MAP TO INCLUDE THESE TWO TRACTS IN THE URBAN GROWTH BOUNDARY:** The Board reviewed the Resolution. This resolution was part of the public hearings held earlier this evening. On a motion by Kramer, seconded by Flosdorf, the Board voted unanimously to adopt Resolution 08-15-12-02 as drafted.

**CONSIDER ORDINANCE #252 TO CHANGE THE ZONING CLASSIFICATION OF A 1.743 ACRE TRACT FROM R-3 RESIDENTIAL TO LOCAL COMMERCIAL (LC):** The Board reviewed the Ordinance. This Ordinance was part of the public hearings held earlier this evening.

On a motion by Flosdorf, seconded by Kramer, the Board voted unanimously to adopt Ordinance #252 as drafted.

**CONSIDER ORDINANCE #253 TO CHANGE ZONING CLASSIFICATION OF A 8.019 ACRE TRACT FROM AGRICULTURAL (A) TO COMMUNITY COMMERCIAL (CC):** The Board reviewed the Ordinance. This Ordinance was part of the public hearings held earlier this evening. On a motion by Kramer, seconded by Flosdorf, the Board voted unanimously to adopt Ordinance #253 as drafted.

**CONSIDER ORDINANCE #254 TO CHANGE ZONING CLASSIFICATION OF A 95.5 ACRE TRACT FROM AGRICULTURAL (A) TO CAMPUS INDUSTRIAL (I-2):** The Board reviewed the Ordinance. This Ordinance was part of the public hearings held earlier this evening. On a motion by Flosdorf, seconded by Kramer, the Board voted unanimously to adopt Ordinance #254 as drafted.

**DISCUSSION ON SETTING PUBLIC HEARING DATE AND AUTHORIZING ADVERTISEMENT OF THE LEGAL NOTICE FOR REZONING PETITION FOR TRADITIONS OF AMERICA PROJECT:** The Township Manager explained that the site is located along the west side of Hess Lane, adjacent to the hospital. He stated that the site is included as a planning area under the Lititz/Warwick Joint Strategic Plan. He stated that the property owner proposes an over-55 "Traditions of America" development, which includes a rezoning proposal and text amendment to accommodate the over-55 development in the Zoning Ordinance. He noted that the Planning Commission and Board of Supervisors has reviewed the proposal. The Board is agreeable to scheduling the public hearing on the text amendment and rezoning petition for September 19, 2012.

**CONSIDER BIDS SUBMITTED FOR HIGHLANDS DRIVE PROJECT:** The Board reviewed the bids submitted for the Highland Drive project. The Township Engineer recommends the project be awarded to the apparent low bidder, B.R. Kreider & Son, Inc. for the bid price of \$567,689.00, contingent upon PennDOT's approval (due to federal grant funding). On a motion by Flosdorf, seconded by Kramer, the Board voted unanimously to award the bid for the Highlands Drive extension to B.R. Kreider & Son, Inc. for the bid price of \$567,689.00, contingent upon PennDOT's approval.

**CONSIDER TRAFFIC STUDY RESULTS FOR FIRESTONE ROAD:** The Board reviewed the traffic study results. The Township Manager explained that, based on these results, the Township could not establish a legal speed limit of 25 MPH as requested by the resident who lives along the roadway; however, the study supports that the speed limit could be lowered to 35 MPH. On a motion by Flosdorf, seconded by Kramer, the Board voted unanimously to reduce the speed limit on Firestone Road from 40 MPH to 35 MPH based on the results of the traffic study.

**CONSIDER SETTING WEDNESDAY, OCTOBER 31, 2012 6-8PM AS TRICK OR TREAT NIGHT:** On a motion by Flosdorf, seconded by Kramer, the Board voted unanimously to designate October 31, 2012 as Trick-or-Treat night, from 6:00 p.m. to 8:00 p.m.

**CONSIDER AUTHORIZING PAYMENT REQUEST FROM INSPEC COATING, INC. FOR BUCH MILL BRIDGE PROJECT:** The Board reviewed the payment request. The Township Engineer commented that based on their review of the application and field observation, they

recommend approval/payment of \$31,500.00 as requested. On a motion by Kramer, seconded by Flosdorf, the Board voted unanimously to authorize payment to Inspec Coating, Inc. in the amount of \$31,500.00 for the Buch Mill Bridge project.

**ADJOURNMENT:** With no further business to come before the Board, the meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Daniel L. Zimmerman  
Township Manager