

WARWICK TOWNSHIP BOARD OF SUPERVISORS MINUTES

December 19, 2012

Chairman W. Logan Myers convened the December 19, 2012 meeting of the Board of Supervisors at 7:00 p.m. Present were Supervisors W. Logan Myers, Herbert Flosdorf, Anthony Chivinski and C. David Kramer. Michael Vigunas was absent. In attendance were Township Manager Daniel Zimmerman, Roadmaster Dean Saylor, and Code and Zoning Officer Thomas Zorbaugh, Township Solicitor William Crosswell, Township Engineer Charles Hess, NLCRPD Chief David Steffen, Mike Leeking, Phillip Klinger, Reid Buckwalter, Whit Buckwalter, Mark Johnson, Nathan Jameson, Sara Kosteva, Josh Rothwell, and Steve Mertz. Gary P. Klinger of the Lititz Record Express represented the press.

A PUBLIC HEARING TO CONSIDER A CONDITIONAL USE APPLICATION FROM TRADITIONS OF AMERICA LITITZ LAND, L.P. ON BEHALF OF THE PROPERTY OWNER, BUCKWALTER FAMILY LIMITED PARTNERSHIP. THE APPLICANT IS SEEKING CONDITIONAL USE APPROVAL UNDER ARTICLE 11, SECTION 340-15.D WITHIN AN R-2 RESIDENTIAL ZONED DISTRICT AT 340 WEST WOODS DRIVE, LITITZ, PA. THE TRACT IS 60 ACRES IN SIZE, LOCATED AT THE INTERSECTION OF WEST MILLPORT ROAD AND HESS LANE. THE APPLICANT PROPOSES TO DEVELOP UNDER THE CRITERIA LISTED UNDER SECTION 340-108.2 MODERATE DENSITY HOUSING FOR AGE RESTRICTED DEVELOPMENTS.

The Township Solicitor announced the procedures to be followed for this evening's hearing. He inquired whether anyone wishes to become a party to the hearing. Mike Leeking, 1250 East Newport Road, stated he would like to be a party to the hearing. The Applicant indicated they have no objections to Leeking becoming a party to the hearing. On a motion by Chivinski, seconded by Kramer, the Board voted unanimously to recognize Leeking as a party to the hearing.

The Township Manager confirmed the posting and proof of advertisement. He also submitted Township's exhibit T-1 which is a set of conditions the Applicant submitted and agreed to as part of the previous rezoning hearing on the tract.

Chris Venarchick, representing RGS Associates, was sworn in. Venarchick provided a background on Traditions of America for the benefit of those present. He explained that the site is located along West Millport Road and Hess Lane. The overall tract currently contains 132 acres, and the proposal includes a plan to subdivide 60 acres from the property for the Traditions of America site. The Traditions of America site is zoned R-2 and would be served by public sewer and public water. The site is adjacent to the Heart of Lancaster Regional Medical Center, and is in close proximity to the Shoppes at Kissel Village. The Applicant is seeking Conditional Use approval under the Age-restricted moderate density development standards within the Zoning Ordinance. Venarchick stated that the project would be age-restricted so that 80% of the homes will have a resident at least age 55 or older with no children under the age of 19. He explained that primary access to the site would occur via West Millport Road.

The plan proposes 247 units with 175 single-family units, and 72 duplex units. The plan would include a club house and pool, along with tennis courts, community green areas, and pedestrian trails. Access to these areas is provided at the entrance along West Millport Road. The plan also proposes stream enhancements along Bachman Run that adjoins the site. Venarchick stated that

the proposed density is 4.1 units per acre. He explained that the impervious coverage would be 45% and noted that the Ordinance would allow up to 60% of impervious coverage. He stated that the Ordinance requires a minimum of 30% open space/parkland; however this figure may be reduced during the Conditional Use process if the ground is held in common ownership, and if approved by the Board of Supervisors. He explained that open space is calculated at 22.5% and noted that this does not include setbacks. He detailed the boulevard layout of the entryway that is the main access to the site.

Nathan Jameson, representing Traditions of America, was sworn in. Jameson described the proposed architectural designs of the homes within the development and added that an architectural package was submitted to the Township as part of the overall proposal. He added that masonry is included as part of all of the exteriors (brick/stone). He added that the homes would contain between 1,250-3,200 square feet. He provided photos of architectural designs of homes in other Traditions of America communities.

Venarchick explained that the open space includes a riparian buffer and natural features such as wildflowers and shrubs along Bachman Run to improve and enhance the stream. He stated the community greens are proposed throughout the community. He noted that since the community is not being subdivided; although 22.5% of the site is open space, the Commission members agreed that the setback areas behind the homes could also be considered as part of the open space since this is part of the common ownership. He explained that with these areas included, the open space calculation increases to 41%. Venarchick stated that the site includes pedestrian trails and sidewalks throughout the community. He added that the roadways are proposed at 24' wide and would be privately owned. Traffic calming devices are included to accommodate pedestrian movement. Venarchick stated that over 5,000 LF of trails and over 5,300 LF of sidewalk are proposed throughout the community. He added that the trail along Bachman Run would be a 6' wide trail. He added that walking groups tend to be formed within these communities, and these groups tend to walk along the roads, since they are low-traffic.

Jameson stated that they reviewed pedestrian safety within 9 of their communities dating back to 1997. He provided an outline of the results of this review including whether the reviewed communities include amenities such as sidewalks, traffic calming, and private roadways. He noted that they also reviewed insurance records and talked to property managers to determine pedestrian safety. He stated that the results of this pedestrian safety review indicated there have been no incidents involving pedestrians in any of their communities. Jameson stated that the proposal includes a comprehensive pedestrian network as a result of public meetings and meetings with Township staff.

Venarchick stated that 2 parking spaces are required for each single-family dwelling. He explained that the homes each have a 2-car garage, with additional parking available for 2 cars in the driveway. He added that 32 additional parking spaces are provided at the club house. He noted that on-street parking would also be provided on one side of the proposed roadways. Venarchick stated that the Traffic Impact Study confirms that adequate site distance exists at the entrance along West Millport Road. He added that a secondary access to the Heart of Lancaster Regional Medical Center site has been discussed throughout the project. He noted that this option would involve the vacating of Hess Lane. He stated that he discussed the issue with representatives of the Heart of Lancaster and they appear agreeable to the proposal. He noted that if the vacating of Hess Lane is not feasible, an alternative secondary access would be provided.

Venarchick explained that stormwater management would be addressed via forebays, basins and water quality facilities with grasses and water-tolerant native plants as part of Best Management Practices. Jameson outlined the revenue that would be generated by the development through taxes, based on the age-restricted nature of the development. Venarchick addressed the specific criteria under Section 340-108.2 pertaining to moderate density housing for age-restricted developments. He outlined a list of conditions that the Applicant had agreed to during the rezoning hearing for the tract, and confirmed that the Applicant will adhere to those conditions. Venarchick he stated that the Traffic Impact Study included the potential development of the entire 132-acre tract and not just the 60-acre Traditions of America site. He explained that some of the proposed conditions include traffic and stormwater improvements as well as recreation facilities. He explained that traffic improvements include a \$75,000 contribution toward a traffic signal at Peters Road and Highlands Drive if the hospital interconnection occurs. He added that if the interconnection does not occur, then the contribution increases to \$80,000 to include a left-turn lane along West Millport Road. He stated that stormwater improvements would provide additional provisions to prevent stormwater from flowing over West Millport Road, which exists currently. He noted that in addition to the proposed recreation amenities onsite, an additional \$50,000 recreation obligation would be provided by the Applicant. Venarchick explained that the vacating of Hess Lane was discussed due to the offset intersection with West Millport Road and Buckwalter Road. He entered Applicant's Exhibit 1 into the record for the public hearing. This is the documentation that has been discussed this evening.

Kramer requested clarification of the second point of access into the development. Venarchick explained that primary access to the site is via West Millport Road, and the second point of access is contingent upon the vacating of Hess Lane. He stated that if Hess Lane is vacated, a second point of access would occur through the Heart of Lancaster Regional Medical Center site. If the roadway is not vacated, the second point of access would occur farther north along Hess Lane.

Jameson stated that the proposal is to vacate Hess Lane from the inter-connection point at the hospital, and extending north to West Woods Drive. The section south of the inter-connection would continue to be a public roadway in order to provide access to the existing properties near the intersection of West Millport Road and Hess Lane. The Township Solicitor stated that the vacating of Hess Lane would be a separate hearing and a determination on the issue can not be provided as part of this hearing. Jameson stated that the Applicant has a tentative agreement with the regional medical center for this access point, which is contingent upon the vacating of Hess Lane.

The Township Solicitor stated that the Township Manager submitted Township's Exhibit T-1 into the record, which is a set of conditions that the Applicant provided as part of the rezoning hearing, and inquired whether the Applicant would reaffirm those conditions. Jameson testified that the Applicant reaffirms that they will be bound to the those conditions as part of any conditional use approval. The Township Solicitor inquired whether Jameson has any objection to Township staff, and specifically, the Township Manager being party to the hearing. Jameson stated he has no objections to Township staff being party to the hearing. The Township Solicitor inquired whether Leeking has any objection to Township staff being party to the hearing. Leeking stated he has no objections to Township staff being party the hearing.

The Township Manager stated that the proposed roadways and stormwater facilities would be under the private control of the Home Owner's Association and inquired what provisions would be

in place to ensure the long-term maintenance of the those facilities. Jameson explained that any agreements for the private facilities would include an access easement for any public utilities within the rights-of-way. He added that periodic reserve studies are performed to ensure sufficient funds exist for maintenance of the facilities. He added that capital reserve components are part of any ownership agreement. He noted that these are also part of legal requirements.

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

Mike Leeking, 1250 East Newport Road, inquired how stormwater would be addressed. Venarchick stated that the stormwater management component would be further addressed as part of the Land Development process. He noted that this is an engineering process, which is not required for Conditional Use approval. He added that the developer is legally required to reduce the amount of stormwater leaving the site, and can not exceed existing runoff calculations. He stated that due to the cost for stormwater engineering, the full design has not been presented since the Conditional Use application could be denied and the process would not move forward. Venarchick stated that swales, detention basins and underground facilities would be part of the stormwater design. The Chairman explained that the Township will ensure that the required storm water management facilities are adequate and meet the applicable requirements. He noted that the State also has requirements relating to storm water management. He added that the Land Development Plan would be presented at public meetings.

There being no further testimony provided, and no additional rebuttal, on a motion by Kramer, seconded by Flosdorf, the Board voted unanimously to close the public hearing on the Conditional Use application fro Traditions of America Lititz Land, L.P.

APPROVAL OF MINUTES: The Board reviewed the meeting minutes. On a motion by Flosdorf, seconded by Chivinski, the Board unanimously approved the minutes of the November 7, and November 21, 2012 meetings as submitted.

TREASURER'S REPORT: The Board reviewed the Treasurer's Report. On a motion by Flosdorf, seconded by Chivinski, 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 Chivinski, the Board unanimously approved the payment of bills from the General Fund in the amount of \$233,346.68

TOWNSHIP MANAGER'S REPORT: The Township Manager provided a status report on the Northern Lancaster County Regional Police Department (NLCRPD). He explained that the Board is scheduled to take action tonight to complete the transition to the regional pension fund.

The Township Manager provided a status report on WESA. He explained that the committee is still working on revising the charter. He noted that examples were requested from DCED.

The Township Manager provided a status report on the Joint Strategic Plan, IMPACT 2017. He explained that the Planning Commission will receive a finalized draft in January, and the Board will receive the draft in February. He noted that formal action on the plan would not occur until April, 2013.

The Township Manager provided a status report on Highlands Drive. He explained that all stormwater work is completed and work is starting on the stone subbase.

The Township Manager provided a status report on the MS4 Application. He explained that staff is expecting a response back from DEP this week. He noted that the additional requested information had been sent to them.

The Township Manager provided a status report on the Firemen Cancer Act. He explained that the committee has completed arrangements to move the volunteers into the SWIF program. He noted that there seems to be some interest at the State level to make some modifications to the program.

The Township Manager provided a status report on health insurance. He explained that staff is completing the transition from Blue Cross to Highmark under the LLC program.

The Board unanimously approved the Township Manager's Report.

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

PUBLIC WORKS DEPARTMENT REPORT: The Roadmaster presented a report that outlines the activities of the Public Works Department during November, 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 November, 2012. The Board unanimously approved the NLCRPD Report.

ZONING OFFICER'S REPORT: The Code and Zoning Officer provided a report that outlines the Zoning/Building permits issued in November, 2012. He also provided a report outlining the cases heard by the Zoning Hearing Board at their November 14, 2012 meeting. The Board unanimously approved the Zoning Officer's Report.

CONSIDER A 60 DAY TIME EXTENSION REQUEST TO RECORD THE JOHN KING LOT ADD-ON PLAN: The Board reviewed the request. On a motion by Flosdorf, seconded by Chivinski, the Board voted unanimously to grant a 60-day time extension to record the John King Lot Add-on Plan.

CONSIDER RESOLUTION #12-19-12-01 ESTABLISHING THE REAL ESTATE MILLAGE FOR 2013: The Board reviewed the Resolution. On a motion by Chivinski, seconded by Kramer, the Board voted unanimously to adopt Resolution #12-19-12-01 as drafted. The Resolution maintains the current millage rate of .274 for the 23rd consecutive year.

CONSIDER ADOPTION OF THE 2013 FISCAL BUDGET: The Board reviewed the 2013 Fiscal Budget. On a motion by Flosdorf, seconded by Chivinski, the Board voted unanimously to adopt the 2013 Fiscal Budget.

CONSIDER RESOLUTION #12-19-12-02 REVISING STREET LIGHT ASSESSMENTS FOR

THE LIGHTING DISTRICT: The Board reviewed the Resolution. On a motion by Flosdorf, seconded by Kramer, the Board voted unanimously to adopt Resolution #12-19-12-02 as drafted. The Resolution lowers the street light assessments due to cost saving measures.

DISCUSS REVISIONS TO THE FEE SCHEDULE FOR ON-LOT SEPTIC FIELDS: The Township Manager explained that the State has eliminated subsidies for SEO services, which results in a \$10 per hour increase in fees.

CONSIDER ORDINANCE #258 THAT TERMINATES THE WARWICK TWP. POLICE PENSION PLAN AND AUTHORIZES THE TRANSFER OF ASSETS OF THE WARWICK TOWNSHIP POLICE PENSION FUND TO THE NORTHERN LANCASTER COUNTY REGIONAL POLICE COMMISSION: The Board reviewed the Ordinance. On a motion by Chivinski, seconded by Flosdorf, the Board voted unanimously to enact Ordinance #258 as drafted.

CONSIDER MOTION AUTHORIZING THE TOWNSHIP'S POLICE PENSION PLAN AND ASSETS FROM SUSQUEHANNA BANK TO MORGAN STANLEY AND TO EXECUTE ANY AND ALL DOCUMENTS WHICH MAY BE NECESSARY TO FACILITATE SUCH TRANSFER: The Board reviewed the information. On a motion by Flosdorf, seconded by Chivinski, the Board voted unanimously to authorize either the Township Manager or the Chairman of the Board of Supervisors to transfer the assets of the Township's Police Pension Plan and Fund from Susquehanna Bank to Morgan Stanley and to execute any and all documents which may be necessary to effectuate such transfer.

ACKNOWLEDGE RESIGNATION OF L. LEE SPANGLER: The Chairman acknowledged Spangler's service on the WTMA Board for over 18 years.