

**WARWICK TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
Warwick Township Municipal Office**

April 25, 2018

Tom Zug, Chairman, convened the April 25, 2018 meeting of the Warwick Township Planning Commission at 7:00 p.m. In attendance were Commissioners Tom Zug, Jane Windlebleck, John Gazsi and Marcello Medini. Absent were Commissioners Craig Kimmel, Daniel Garrett, Kenneth Kauffman and Bob Kornman. Also in attendance were Daniel Zimmerman, Township Manager; Tom Zorbaugh, Code and Zoning Officer; Gwen Newell from the Lancaster County Planning Commission; Jeff Enck 19 S. Locust St., Lititz; Casey Graffius 406 N. Elm St., Lititz; Dave Bitner with RGS Associates; Claudia Shank from McNees Wallace & Nurick; Brian Soyka with Sheetz; Doug Matthews with David Miller Associates; and Jeff Enck, Realtor.

APPROVAL OF MINUTES: With no corrections to the March 28, 2018 minutes they stand approved as submitted.

CONSIDER THE REVISED LAND DEVELOPMENT PLAN FOR SHEETZ, PREPARED BY RGS ASSOCIATES, DATED 3/26/2018: Dave Bitner with RGS Associates presented the plan to the Commission along with Brian Soyka from Sheetz. The Sheetz is located at the intersection of Furnace Hills Pike and Newport Road. The project is a rebuild of the existing store. The existing building is approximately 4,200 square feet. The rebuild will use essentially the same footprint with an expansion and upon completion will be approximately 6,600 square feet. One of the gas canopies will be removed reducing the number of fueling stations from 12 to 10. The access along Newport Road will stay the same however the access along Furnace Hills Pike will be relocated to the north to allow for future extension. The parking lot layout is essentially staying the same.

B. Soyka stated the remodel of the store will provide additional freezer space and an indoor seating area consisting of 30 seats and an outdoor seating will be added as well. The gas canopy will only be over the gas pumps. M. Medini inquired if there were going to be any additional parking spaces due to the additional seating areas. D. Bitner stated 44 spaces are proposed.

D. Zimmerman inquired if there were any issues meeting the lighting requirements as the current site is not compliant with today's standards. D. Bitner stated at the time the plan was submitted a lighting plan was not completed; this will be brought back with the next revisions. B. Soyka stated with the remodel all the lights will be removed and replaced mostly in the same locations however there will be new poles and new LED fixtures. T. Zug inquired if there will be any changes to the sign. B. Soyka stated the sign has not been looked at in accordance with the ordinance but any changes will meet the ordinance requirements. D. Zimmerman inquired if there was going to be any tank removal due to the lessening of the number of gas pumps. B. Soyka stated the old tanks are going to be removed and replaced with new ones along with new underground piping. J. Windlebleck inquired if there was going to be lighting on the access road. B. Soyka stated Sam High is the actual owner of the access road as Sheetz rents the land from S. High. Sheetz would like this access road to be lighted as their customers will be using it. Chuck Haley stated the lighting for the access road should be shown on Sheetz's lighting plan for this project and Sheetz and S. High can discuss payment logistics privately. The site will be shut down completely while the store is under the remodel. The project is expected to take 12 weeks to complete.

On a motion by Windlebleck, seconded by Gazsi, the Commission unanimously gave conditional approval of the Revised Land Development Plan for Sheetz, subject to the comments on the ELA letter dated April 4, 2018.

CONSIDER THE STORM WATER PLAN FOR CASEY GRAFIUS, PREPARED BY DAVID MILLER, DATED 3/19/2018: Doug Matthews with David Miller and Jeff Enck, Realtor for the project, presented the project to the Commission. The project site is located on Clay Road and is approximately 6.8 acres. The front half of the property is currently used for agriculture and the back half is a wooded area. D. Zimmerman stated there were some issues that needed to come before the Commission regarding stormwater to determine whether the project could be done.

The Applicant is asking for relief of water supply due to the difficulty with gaining access with a rig into the property at this time until the driveway is cut in. Typically the Township requires a hydro study or drilling a well to guarantee water. However this is not an area known for having difficulty in finding water and from the Staff's perspective with a lot this large there should not be a reason for not finding water.

On a motion by J. Gazsi, seconded by M. Medini, the Commission unanimously gave conditional approval of the storm water plan for Casey Grafius subject to the Applicant accepting the waiver for the relief of water supply and that he understands he cannot come back to the Township if there are any issues with not being able to find water as well as making sure there is no well interference with adjacent neighbors.

Another issue is the site distance for the driveway. The location of the project is on Clay Road just before Lincoln Road. There is a horizontal curve and the speed limit on Clay Road is 45 mph. D. Matthews stated the proposed driveway is to the northern corner of the property. From the intersection of Lincoln Road and Clay Road to the left of the proposed driveway at 45 mph the required site distance is in the 420 range and actual is 520 feet. Facing the right leaving the site is a problem. From the south of the driveway looking towards the driveway from a distance of 335 feet meets the 35 mph speed limit criteria. At 335 feet there is an advisory sign for the upcoming curve. Therefore as the driveway would sit it would meet the 35 mph criteria with no removal of the embankment. With minimal removal of the embankment the level would go to 40 mph. With the speed limit being 45 mph it would require 470 feet which would go to the far extreme of the site and would require a large removal of the bank area. The Applicant would like to remove part of the bank in order to meet the 40 mph criteria. It was asked if a speed study has been done. D. Matthews stated one has not been done due to cost and the project being a single family home and would not generate a lot of traffic. C. Haley stated a speed study is also done for safety reasons. D. Zimmerman stated since the criteria for site distance can be met with either a speed study or by excavation the Township will not agree to lowering the speed limit unless a speed study proves otherwise.

There is also an issue with the right-of-way. D. Zimmerman stated the grading that would need to be done is in the Township's right-of-way. The Township normally requires dedication of a right-of-way 25 feet from the center line. The Applicant's position with the right-of-way dedication is that is usually required for a subdivision land development requirement and not a stormwater management plan. In addition, in order to dedicate additional right-of-way a boundary survey would need to be done of the property which would be an additional cost to the Applicant. D. Zimmerman stated the ability to conform to the standards of public safety, and the grading that needs to be done with this project in order to create a safer situation, the right-of-way should be dedicated to stay consistent with what the Township has always done.

Jeff Enck with Town and Country Realty inquired if it would suffice the Planning Commission if there was a note put on the plan that upon future subdivision that the additional right-of-way be granted based on what is in the books for that speed limit. D. Zimmerman stated the site distance is not met and the advisory speed limit cannot be used. There was a discussion concerning the right-of-way as well as the poles located therein. After much discussion the Commission was ok with dedicating the right-of-way at a later date.

REVIEW OF PROPOSAL FOR 304 E. NEWPORT ROAD PRESENTED BY TROY WEAVER: Troy Weaver presented the plan to the Commission. He and his wife have an agreement to purchase 304 E. Newport Road. They would like to continue to run the Bed and Breakfast that is currently being run at the property in addition to using a portion for office space to run a construction company owned by T. Weaver and his brother. The house is 4,300 square feet with four bedrooms with bathrooms that are rented and a bedroom with living quarters where the current residents reside. The Weaver's would run the Bed and Breakfast and Construction Company from the property but would not sleep there.

T. Zorbaugh then gave some background information on the property to help the Commission understand how the B&B originally got started. When the Groff family bought the house they went to the Zoning Hearing Board for zoning approval because it was considered a non-conforming existing unit. Approval was obtained to run a B&B on one side of the house and the Groff's would live on the other side. T. Weaver is looking to continue to run the B&B and use the second side as an office for his construction company but would he would not actually live on the property.

D. Zimmerman said some factors to consider would be the house has historic significance to it and to have a builder on-site who would be able to maintain it would be beneficial. However, in order for this to work, the Applicant would need a substitution of use and a variance of the definition of owner occupied.

J. Windbleck was concerned about setting a precedence in allowing the B&B to not be owner occupied. In addition, she was concerned that if the business were to expand it would eventually take over the entire building. Claudia Shank from McNees Wallace & Nurick stated there could be a condition that placed on the approval so stating this could not occur. D. Zimmerman stated even though the Applicant may not sleep there someone would still need to go to the B&B on the weekends to clean, provide breakfast etc.

The Commission in general was ok with the plan. They did have some concern about if the property were to get sold how could the business part of the property be controlled as to what type of business would be allowed to be run from the property. The issue centers on owner occupied criteria.

REVIEW OF PROPOSED AMENDMENT TO THE WARWICK TOWNSHIP ZONING ORDINANCE: This ordinance includes the changes made to produce signs, kennels, and outside vehicle storage.

D. Zimmerman stated the next issues to be looked at will be a right-of-way ordinance and a cell phone communications amendment.

ADJOURNMENT: With no other business to come before the Commission the meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Daniel L. Zimmerman
Township Manager