

WARWICK TOWNSHIP BOARD OF SUPERVISORS MINUTES
March 5, 2014

Vice-Chairman Michael Vigunas convened the March 5, 2014 meeting of the Board of Supervisors at 7:00 a.m. Present were Supervisors Michael Vigunas, Herbert Flosdorf, and C. David Kramer. W. Logan Myers and Anthony Chivinski were absent. In attendance were Township Manager Daniel Zimmerman, Code and Zoning Officer Thomas Zorbaugh, Township Engineer Grant Hummer, Township Engineer Charles Haley, Matthew Kofroth, Thomas Matteson, and Gary Myer.

PRESENTATION ON THE LITITZ RUN WATERSHED – MATT KOFROTH, LANCASTER COUNTY CONSERVATION

DISTRICT: Kofroth provided a slide report along with his report. He stated that there has been 17 years of monitoring data as well as other investments on the Lititz Run. Chapter 93 of the Clean Water Act states what kind of water quality a stream has. In order to get Lititz Run off of the declassification list, DEP must review it to get the stream protected use changed or else go through a petition process. The latter is what Warwick Township and the Lititz Run Watershed Alliance went through. Through the petition, the protected use was upgraded a couple of steps. We had to show DEP the temperature readings and aquatic life in order to have the status changed to a Cold-Water Stream. The next step with protected use, would be to have the status changed to a High-Quality Stream. Another aspect of the stream standards, are whether or not the stream is impaired. This is part of the Clean Water Act, either 305 (b) or 303 (d). Lititz Run's assessment put the stream into the "impaired/dirty" category or 303 (d). Chemical data sets and a biological assessment had to be conducted. The chemical data sets were good as far as the amounts of nitrates and phosphates but the biological assessment is what will determine if a stream can get off of the impaired list. Certain fish and bugs need to be found in the stream during the biological assessment. Currently, the high school class and Kofroth do the biological testing twice a year and Billy Clauser and Don Gallagher are doing the chemical testing on a monthly basis. DEP is required to do the testing at a certified lab to use those results toward de-listing the stream. There has been restoration, riparian buffer, floodplain, stream bank fencing, agricultural, and infiltration projects. Also, many different BMPs such as bio-retention and infiltration areas have been incorporated into the Township. Education and community involvement on BMPs and storm water management has been great as well. Dam removals have been done and therefore wetlands have been created in return. We are showing almost a two-fold decrease in some locations for nitrates and a two to three-fold decrease in phosphates since 1979, mainly due to the sewage treatment plant and Township efforts. Real world examples include wild trout reproducing. Becoming de-listed comes down to three bugs: mayflies, caddis flies, and stone flies. Kofroth explained that he thinks that all the work the LRWA and the Township has done, although a great thing, has disturbed the habitat of the aquatic insects. It will take some time for the bugs to come back. There is an index of biological integrity including: number of bugs, intolerant/and tolerant/diversity index. The formula to reach is 46 in a limestone stream, and this is a separate protocol. The Sturgis property has a good mix of bugs. Trout Hatchery has a good diversity of bugs but has too many tolerant bugs in it, and the water quality has dipped, but is coming back up. Riparian Park near the treatment plant has had work done to it, and while it is not doing well yet, it will go up. Upper Millport has had an increasing water quality trend and the aquatic life diversity is great, with no work done in the last 5 to 6 years. At Lower Millport, after the dam removal in 2000 the aquatic life is hurting and it will take a long time, perhaps years to re-group. The Wenger Farm off of Creek Road has seen vast improvements (even if the water quality number has been down) with growth in the riparian buffer and diversity in aquatic life including stone flies. The Hess Farm in Manheim Township is a concern. There is a lack of riparian buffer with most of it being mowed grass, so this is a potential area for improvement projects. All of the sites are improving from upstream to downstream. Dam removals by PennDOT are beyond our control, which controls water quality. The good bugs need to find clean water. Weather, mowing, and earth disturbance will all affect the bugs.

The Township Manager noted that we will be having several major projects along the Santo Domingo in the future. Those will be an opportunity to make improvements in an area that had the biggest sediment load in the Lititz Run. Kofroth stated that this will not be a quick turnaround, it will take some time. Kramer asked about the current status of Hammer Creek. Kofroth stated that there is an increased sediment load due to the dam removal, but it is not too bad, since it was previously sediment deprived. The stream is now flushing some things through that had not been previously. Once the dam is completed, Kofroth stated that he anticipates the stream being sediment deprived again. The goal is to have the flushing done gradually, not all at once, like it currently is. There is not nearly as much data on Hammer Creek as there is with Lititz Run.

CONSIDER THE CONDITIONAL USE DECISION FOR COUNTRY HOME CATERING/ZIEGLER BARN: The Township Manager stated that Township staff has prepared a draft of the decision that's been reviewed by the engineer and the applicant. A maintenance arrangement is a private matter that should be resolved in the near future. Kramer expressed his concern that there was not a representative present since they were given 30 days from the 2nd Board of Supervisors meeting in February. The Township Manager stated that they are trying to get their land development plan through, and were trying to come before the March 19th meeting. This decision, if approved, will give them a favorable review and allow them to go forward with their land development plan. Flosdorf raised a concern about the access. Right now, they do not have access to a public road for trucks to come out of their property and turn left in and out, therefore, forcing them to use a private road. They were asked to come to an agreement with the owner of the private road, to share the maintenance responsibility, which they have not done yet. The Township Manager stated that there are two easement agreements, one is the parking agreement at Creek Side Lane. The Township Manager stated that he will reference the maintenance easement for Creekside Lane on the land development plan. Kramer suggested that their group should get a deadline set for the plan. The Board decided to table action on this conditional use decision to the next meeting. Gary Myer stated that they are working on financing currently, and intend to open the bakery in January or February of 2015.

CONSIDER THE LOT ADD-ON PLAN FOR SENSENIG-NOLT, PREPARED BY DIEHM & SONS, DATED 12/18/13: Thomas Matteson from Diehm & Sons outlined the lot add-on plan for the Sensenig-Nolt project. Essentially, the applicants would like to create two lots where there are currently three lots. The properties included have portions in Warwick Township and in Elizabeth Township. Matteson stated that this has already been through planning. Elizabeth Township and the Lancaster County Planning Commission have already approved this plan. The Township Manager stated that there is also a Form B Non-Waiver, stated that no building would occur. On a motion by Flosdorf, seconded by Kramer, the lot add-on plan was unanimously approved by the Board.

CONSIDER RESOLUTION #03-05-14-01 RELATING TO NEW SIGNALIZATION – COORDINATION ON THE SR501 CORRIDOR: The Township Manager stated that the SR501 corridor was the only corridor picked out in Lancaster County by PennDOT for the new InSync traffic signal coordination system. There was a previous attempt at timing sequences between Warwick Township and Manheim Township, but that only provided limited improvement. This system will be tied from the light at the bridge going into Lancaster City to the light at Owl Hill Road. This system will be a live camera feed going to a Traffic Controller. This system will improve peak flows by 10-12% and off-peak by 30-45%. It will eliminate giving green lights if no vehicles are waiting. The system will be installed for free. The Township will need to maintain them after installation. Vigunas expressed his concern about whether or not this system will be positive or negative for the lights farther north of Owl Hill Road. The Township Manager stated that they should not be negatively affected and will run on the same system as it currently exists. This system can be monitored and have live feed from the Township office or the signal maintenance vendor. On a motion by Flosdorf, seconded by Kramer, the Board voted unanimously to approve and enact Resolution #03-05-14-01.

DISCUSS THE FINAL DRAFT ON THE STORM WATER MANAGEMENT ORDINANCE: The Township Manager stated this topic should be brought back at the next meeting due to two Board members missing. He would like the ordinance to be approved by April. The Township has been implementing most of the design criteria in the county's model Storm Water Management Ordinance since 2007, so not many changes had to be made. One of the changes includes the processing, such as the exemption of 1,000 square feet and small projects application to 2,500 square feet. The small projects section will not be a part of the ordinance. Flosdorf asked if the small projects would have to be approved by the Zoning Officer (staff level) or the Board of Supervisors. He suggested that the applicant should be able to appeal to the Board of Supervisors in the event that they are denied by the staff. The Township Manager also suggested that a report is submitted, which outlines what the staff has done. The Township Manager stated that the language has been cross referenced from the Subdivision Ordinance and the Zoning Ordinance. The Township Manager stated that the Township gave small exemptions for small projects to farmers who had a conservation plan. We made an alternate review process, which will give farmers an incentive to have a conservation plan even if it is only partially completed. The Lancaster County Conservation District will review the conservation plans. We will design for the maximum coverage in new developments. Also, the Township will be supplying the new developments with a maintenance plan. Flosdorf suggested that we allow bank or share capacity of their storm water facilities/BMPs on a case by case basis. Haley stated that there are currently provisions allowing for a regional facility.

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The Zoning Officer stated that the Siegrist and LEFC church properties may end up being an example of a regional facility. Vigunas suggested that the Township encourage regional facilities in the document. Haley stated that on page 29, item F reads “developers have the option to propose a regional storm water management plan or participate in a regional storm water management plan developed by others.” Vigunas suggested that we add “and would encourage” to that statement following “developers have the option”, which was agreed upon.

DISCUSSION ON INTERIM STEPS WITH THE WARWICK REGIONAL RECREATION COMMISSION: The Township Manager stated that the Warwick Regional Recreation Commission (WRRRC) had a good meeting last month. The Lititz RecCenter staff has been taking on some of Curt Strasheim’s functions and it has been going well. There has been a lot of rentals and field reservations recently which has had good communication. A meeting with Elizabeth Township and Penn Township to discuss the WRRRC will occur next week. Flosdorf expressed his concerns that the interests and stakeholders of the recCenter and WRRRC are not aligned. Municipalities’ contributions to the WRRRC are based on population right now. Vigunas suggested a possible proposal similar to the police, dealing with usage.

AUTHORIZE BIDS FOR IN PLACE PAVING AND FOB MATERIALS: On a motion by Kramer, seconded by Flosdorf, the authorization of bids for in place paving and FOB materials was unanimously approved by the Board.

OTHER BUSINESS TO COME BEFORE THE BOARD: The Township Manager requested to add an item to the agenda. Lititz Reserve is currently building Phase I and are about to file Phase II. Traditions of America has already filed Phase II. The developer for Lititz Reserve, Moyer, has asked if they may delay the installation of a second access road until Phase III. The ordinance requires a second means of access when the threshold of 50 units occurs, and they will have under 50 units after Phase II is completed. Lititz Reserve is considering a move in the location of the second access road to Luther Acres, or land swapping with the church. The Planning Commission is alright with only one access road until the 50 units are completed. Haley stated that they were also considering adding an emergency-access only road.

MANAGER’S REPORT: The Township Manager stated that the SR501 bridge is now non-restrictive. PennDOT is going to release a \$2.5 million bid on the bridge next month. The Township Manager will find out if it is replacement or repair later today.

ADJOURNMENT: With no further business to come before the Board, the meeting was adjourned at 8:26 a.m.

Respectfully submitted,

Daniel L. Zimmerman
Township Manager